

state of Ohio to act as a trampoline back into the system when that system breaks down," he said.

Sen. Burke asked if there is another state that allows pharmacists to dispense naltrexone in this way.

Mr. Ciaccia said Ohio would be the first to allow pharmacists to do this in this way, but other states allow pharmacists to provide naltrexone to patients in different ways, sometimes in an agreement with a doctor.

SB 182 OUTDOOR DINING (Coley, B.) To generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. (**REPORTED (No testimony)**; 5th Hearing-All testimony-Possible vote)

SB 229 CONTROLLED SUBSTANCES (Eklund, J.) To modify laws pertaining to the State Board of Pharmacy and the regulation of controlled substances. (**REPORTED**; 4th Hearing-All testimony-Possible vote)

The committee unanimously reported the proposal.

Julie DiRossi-King, director of policy and public affairs for the Ohio Association of Community Health Centers, testified in favor of the measure and an amendment to exempt Federally Qualified Health Centers and look-alikes from additional licensure requirements.

The centers are typically already licensed by the State Board of Pharmacy as terminal distributors of drugs because they often possess those drugs onsite and are certified by the federal government to provide comprehensive health services.

"Many Ohio Health Centers have years of experience working in communities that have been struggling with opioid addiction long before the unfortunate surge," she said. "To maximize their ability to provide high-quality, comprehensive primary and behavioral health care to some of Ohio's most vulnerable patients, health centers should be permitted to use every evidence-based method available to treat their patients, without facing barriers."

SB 291 HOST FAMILY AGREEMENTS (Coley, B.) Regarding regulation of host family agreements. (**CONTINUED**; 1st Hearing-Sponsor)

Sponsor **Sen. Bill Coley** (R-Liberty Twp.) said the measure is inspired by a charitable organization known as Safe Families for Children that allows a parent in a crisis situation to temporarily request that their children be hosted by a screened and vetted host family for a specific period of time.

The measure defines a qualified organization, creates standards for background checks and permits placements in situations in the event of a parent's incarceration, incapacitation, medical, psychiatric or psychological treatment, military service and more.

"These measures will provide the parents utilizing these programs with peace of mind while they take responsible steps to support their children," he said.

The goal is to codify a program that's already in existence to make sure parents who use such programs did not abandon their children, he said.

Sen. Jay Hottinger (R-Newark) said there is a similar program in Montgomery County. "I think it really is a model for what we should be doing across the state and I think it is a solution that can help many families," he said.

SB 56

STEP THERAPY (Lehner, P., Tavares, C.) To adopt requirements related to step therapy protocols implemented by health plan issuers and the Department of Medicaid. (**CONTINUED-SUBSTITUTE**; 4th Hearing-All testimony-Possible amendments & vote)

The committee accepted a **substitute bill** that ensures the definitions and deadlines match previous legislation on prior authorization, **Sen. Peggy Lehner** (R-Kettering) said. The changes also close loopholes in the exemption process and eliminate a redundant exemption.

Sen. Lehner said the sub bill, the 12th version of the proposal, shows how much work has gone into it.

"I think it reflects the intensity and the patience that so many people have had to work on this bill, and it is as acceptable as possible to as many people," she said.

Charlene York, the Ohio volunteer state ambassador for the National Organization for Rare Disorders, said step therapy can hinder care for patients who are stable on certain medical treatments if they are forced to change to a lower-cost therapy that is less effective.

"While this is done by insurers as an attempt to control health care costs, it has been increasingly applied to patients with little regard to their medical situation or treatment history," she said. "As a result, in many cases, these requirements can delay appropriate treatment and ultimately increase costs, not lower them."

The committee also received written proponent testimony from organizations representing people with a variety of illnesses, including the American Lung Association in Ohio, the American Diabetes Association, the Chronic Disease Coalition and the National Patient Advocate Foundation.

Governor's Appointments: The committee recommended full Senate confirmation of the governor's appointments of Theodore Bauer to the State Dental Board; Margaret Knerr and Erin Michel to the Social Worker, and Marriage and Family Therapist Board; Betty Montgomery to the State Medical Board; John Seguin to the Maternity and Newborn Advisory Council; Alexander Bishara and Wendy Haynes-Britton to the Chemical Dependency Professionals Board; Kimberly Mermis and Thomas Nye to the State Board of Optometry and Bruce Saferin to the State Medical Board.

Sen. Burke removed a request for Lisa Haberbusch from the list due to technical issue. He said the appointment will be considered at the next meeting.

Subscribers Note: Full testimony is available on the [committee's website](#) under May 22.

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Volume #87, Report #99 -- Tuesday, May 22, 2018

'Stand Your Ground' Bill Reported By House Panel

Another controversial gun measure cleared a House committee Tuesday in a party-line vote.

The so-called "stand-your-ground" bill (HB 228) was reported from the House Federalism & Interstate Relations Committee after its seventh hearing.

While supported extensively by gun rights groups, it again drew a throng of anti-gun violence advocates from Moms Demand Action for Gun Sense in America, including Francie King.

She told the panel that the vote on the legislation comes just four days after a school shooting in Texas that left 10 people dead.

"We should be confronting this problem of gun violence in America and not accommodating it by loosening our gun laws," Ms. King said. "Moms Demand Action was here last week to advocate for several bills that would do just that. I hope this committee finally sees that HB228 will do nothing to promote public safety, or to help prevent the gun violence that is ravaging our communities, schools, churches, and homes, killing 96 people each and every day."

In addition to the portion of the bill that ends the duty to retreat, Ms. King also said the bill will effectively allow for the carrying of firearms without a license.

"Permitless carry has shown to have a detrimental effect on public safety in Missouri and Arizona. After Missouri enacted permitless carry in January 2017, the city of St. Louis has experienced a 23% increase in aggravated assaults with a gun in 2017 over the total in 2016. This represents an additional 484 gun-related assaults in St. Louis City alone in 2017 than in 2016," she said.

Lisa Voigt, a professor at Ohio State University, said in written opponent testimony that she fears the measure will put her, her family, students and all Ohioans in danger.

"In the wake of another tragic school shooting last week in Texas, I hope your committee will take the time to study the research and, like me, come to the conclusion that HB228 would in no way contribute to the decrease in gun violence and gun deaths that we all seek," she said. "On the contrary, it would increase them, as we can see clearly from what has happened in other states with similar legislation."

No proponents testified Tuesday.

Prior to the committee hearing, the ACLU of Ohio blasted the bill in a statement, saying it will disproportionately impact people of color.

"Across the country, people of color are more likely to be stopped, searched, ticketed, arrested, convicted, imprisoned, imprisoned for longer sentences, sentenced to death and actually executed than their white counterparts," said Gary Daniels, chief lobbyist. "Additionally, when looking at national crime data, we know of the gigantic racial disparities when it comes to justifiable homicides."

After the hearing, committee Chairwoman Rep. Kristina Roegner (R-Hudson) defended the bill.

"There were many people in this room today that felt the bill didn't go far enough," she told reporters.

One of those people was Rep. Paul Zeltwanger (R-Mason), who attempted to introduce an amendment he said would strengthen the concept of innocent until proven guilty.

However, the amendment was not allowed because it was fairly new and a motion had already been made to report the bill, Rep. Roegner said.

"I've been trying to be very thoughtful with this bill in terms of timing," she said.

House Appears Poised To Elect Speaker After Several False Starts

Expect the unexpected Wednesday when the House is slated to finally elect a new speaker.

For the third time in the past week the House appears ready to elect a new speaker; the prior two scheduled votes were canceled when Republicans failed to reach a consensus over the successor to former Speaker Cliff Rosenberger or, in Tuesday's case, were unable to ensure all members were present for a vote.

The House is now expected to vote on the position during a 1:30 p.m. Wednesday session in a vote that promises to be historic one way or the other. At the very least, the vote will depart from recent history in which the chamber typically unanimously elects a leader in a symbolic showing of bipartisanship after they are chosen in closed caucus meetings. (See Gongwer Ohio Report, May 15, 2018)

A GOP caucus spokesman said no legislation is expected to be brought to the floor Wednesday and that the session instead will focus solely on the election. Another full session is slated for Thursday.

Rep. Ryan Smith (R-Bidwell) remains the front runner but his opponents and Democrats question whether he has locked up the 50 votes needed to secure the spot on the first round of voting. Others conjecture he may rely on an obscure law that states the

candidate with the majority of votes after the 10th round wins. (See Gongwer Ohio Report, May 21, 2018)

The candidate has declined to discuss his vote count.

"I just want to go vote and we'll find out where it is," Rep. Smith said in an interview. "I'm tired of talking about numbers. I want to go vote."

Rep. Andy Thompson (R-Marietta), who is also running for the post, earned 18 votes in the GOP's closed door caucus last week. He said he still believes the majority of them remain faithful and that Rep. Smith is shy of the 50 votes needed. He acknowledged, though, that he is aware of at least one of his supporters who may have switched to supporting Rep. Smith.

House Democrats plan to put forward Minority Leader Fred Strahorn (D-Dayton) as their candidate. But Rep. Strahorn too said he's not entirely sure what to expect when the vote takes place.

"I'm unclear whether it's for certain what the vote is for Ryan or whether he's just going to go and see what happens," Rep. Strahorn said. "Our members were a little concerned about everything that's going around and being on the record voting for a Republican speaker so they're nominating me so we can vote for our own. That's the way it used to happen in the '60s or so. Just until the dust clears on this we thought we'd convert to that."

Nevertheless, some Democrats haven't ruled out voting for Rep. Smith.

Meanwhile, stakeholders are growing increasingly impatient as the House's floor calendar remains at a standstill.

Leading business groups - including the Ohio Chamber of Commerce, NFIB-Ohio, the Ohio Business Roundtable and others - wrote to Speaker Pro Tem Kirk Schuring (R-Canton) and other members of the House urging a quick resolution.

"We are writing to express our collective concern over the current absence of a speaker of the Ohio House," reads the letter also signed by the Ohio Farm Bureau, the Council of Retail Merchants and the Ohio Manufacturers' Association.

"We implore members of the House Republican caucus to set aside differences and preferences and focus on the needs of our great state," the groups continued. "Specifically, we urge the prompt selection and subsequent election of a capable and principled leader to guide the House through the remainder of the 132nd General Assembly."

Democrats too are criticizing lawmakers for the legislative shutdown. Ohio Democratic Party Chairman David Pepper said the Republicans are stalling legislation (SB 135) to fund voting machine upgrades due to the impasse.

"Secure voting systems are a crucial part of our state infrastructure, and funding for them should have been passed months ago in the state capital budget, not be stuck in limbo because Republicans are fighting amid the fallout from their culture of corruption in Columbus," Mr. Pepper said.

Human Trafficking Bill Clears House Committee While Panel Debates Another

The House Criminal Justice Committee took up a two pieces of human trafficking legislation Tuesday, including a measure to close a gap in the state's protections for minors.

That bill (HB 461) is designed to strengthen the state's Safe Harbor law by stiffening the penalties for those who traffic 16- and 17-year-olds. It received its second hearing before the committee.

The panel also reported legislation (SB 4) that expands the list of eligible offenses that could be expunged for human trafficking victims.

Regarding the former bill, Columbus Police Detective Aaron Dennis said current law requires force, fraud or coercion to be proven in such cases.

"Targeting 16- and 17-year-old victims, over time has proven to be an effective strategy for pimps and traffickers," he said. "This age group has the same vulnerabilities, but not the same legal protections as their younger counterparts. Since these cases are more difficult to prosecute, there is less risk of arrest and prosecution to the pimps and traffickers."

Dr. Jeff Barrows, founder of Gracehaven, said Ohio is one of just three states that define sex trafficking of a minor differently than the federal government.

"The fact that Ohio law regarding sex trafficking of a minor is different than every other state's law as well as the federal government's statute does not necessarily mean that the Ohio statute is wrong," he said. "However, it does require a close examination regarding the validity of the reasoning behind this unusual statute as well as its potential consequences."

Rep. Bill Seitz (R-Cincinnati) raised concern that if the law were to be changed a 19-year-old that takes a 17-year-old on a date that includes dinner and a movie could be considered to be engaged in trafficking of a minor because something of value changes hands.

"This is the very reason why Ohio law reads the way it does right now," he said.

Mr. Barrows said that is not the case in 99% of human trafficking cases.

"One single date does not make a sex trafficking victim," he said.

Rep. Seitz said that the definition in the measure needs to be tightened up so as to ensure that people are not "ensnared in an overly broad definition."

Emily Dunlap of Advocating Opportunity said the current law forces prosecutors to put a victimized child on the witness stand and in some cases they are re-traumatized.

"Instead of continuing this troubling practice, it is time to bring Ohio law in line with the federal standard," she said.

The panel also received proponent testimony from representatives of Ohio State University; the Catholic Conference of Ohio; the Daughter Project; the Central Ohio Rescue & Restore Coalition; the Summit County Juvenile Court; Shared Hope International; ACTION OHIO Coalition for Battered Women; the League of Women Voters; Mount Carmel Health System; and the Ohio Alliance to End Sexual Violence.

In other business, the panel reported SB4, despite concerns from the Ohio Prosecuting Attorneys Association. Knox County Prosecutor Chip McConville said the group is concerned about a provision that allows for the destruction of records for certain felony convictions.

He also took issue with language that would enable victims of human trafficking to seek to expunge records at any time, even in cases that were dismissed or an individual was found not guilty.

"Sometimes cases are dismissed without prejudice and are prosecuted at a later date," he said. "Senate Bill 4 would allow a victim of human trafficking to seek to have the records in the case destroyed even though charges may be refiled."

But Courtney Schmackers, development director at She Has A Name, said the 2012 Safe Harbor Act has provided some victims with a chance to have their entire records expunged, but only in some jurisdictions.

"Thankfully, the state of Ohio is at the forefront of appropriately and proactively responding to the issue of human trafficking," she said.

Representatives of the Ohio Justice Policy Center and the Central Ohio Rescue and Restore Coalition also weighed in with proponent testimony.

Lawmakers Question Amended Child Marriage Ban

A bill to ban child marriage garnered support from individuals and groups Tuesday, but several lawmakers raised questions about its efficacy.

Before hearing testimony on the measure (SB 198), an amendment offered by Sen. Sean O'Brien (D-Bazetta) on behalf of sponsoring Sen. Kenny Yuko (D-Richmond Hts.) was accepted to clarify that the legislation bans all marriages among those under the age of 18.

Erin Ryan, managing director of the Ohio Women's Public Policy Network, said from 2000-2015, nearly 4,400 girls aged 17 or younger were married in the state. Most, she said, were marrying adult men.

"Evidence suggests that the age differences in most of these marriages between teen girls and adult men can lead to unequal power and control dynamics, creating an environment rife with domestic violence and abuse, which often continues throughout the marriage," she said.

"Women who marry as minors are significantly more likely to have mental and physical health issues as a result of the abuse they suffer, and girls marrying under 18 are three times more likely to experience domestic violence."

Ms. Ryan said child marriages also lead to limited educational and employment opportunities.

"With reduced or limited labor force participation as a result of lower educational attainment, these are long-term consequences on communities that significantly reduce economic growth," she said. "Additionally, marriage as a minor is linked to early childbearing, more children, and shorter spacing between births, all of which limit or prevent participation in the workforce."

Sen. Bill Coley (R-Liberty Twp.) asked about an exception for a 17-year-old enlisted in the military.

Ms. Ryan said the age needs to be set at 18 with no exceptions to avoid girls falling through the cracks, leading Sen. Coley to question her focus on girls.

Girls are disproportionately impacted by child marriage, Ms. Ryan responded.

Sen. John Eklund (R-Chardon) said he is "troubled" by the idea that banning child marriage will fix all the problems mentioned by Ms. Ryan, saying the measure does not get at the underlying problem.

Ms. Ryan reiterated her statistics about educational and employment attainment for those married as a child and noted that those in child marriages are not able to seek a divorce or protection order before the age of 18.

Sen. Peggy Lehner (R-Kettering) said she believes there is a big difference between two 17-year-old individuals marrying and 17-year-old and a 30-year-old marrying. She suggested lawmakers seek to address the latter.

But Ms. Ryan again noted that those in child marriages are much less likely to graduate from high school than their unmarried peers.

Shelby Quast, Americas director of Equality Now, said in written proponent testimony that the current law is in violation of the International Covenant on Civil and Political Rights.

"Records from Ohio show that, because of the ages and age differences of the parties and because a pregnancy was involved, dozens of children who were statutory rape victims were married to their rapists," she said. "For instance, in 2002, a judge in Gallia County allowed a 14-year-old pregnant girl to marry a 48-year-old man."

Naila Amin said in written proponent testimony that she was a victim of a forced child marriage at the age of 15 to a first cousin that was 13 years older than her.

"I lost my youth and my mental health is just not the same," she said. "The happy go lucky little girl is gone. I can go months now without laughing. He robbed me of my childhood. My body and soul were taken from me by force. Luckily I did not have any children with this man. That could have caused health problems or even death."

The panel also received written proponent testimony from the AHA Foundation and Unchained At Last.

Mandatory Bindover Bill Advances Despite Prosecutors' Concerns

A measure to end mandatory bindovers in most cases cleared committee Tuesday despite a warning that it will endanger public safety.

The legislation (HB 394), which was reported by the House Criminal Justice Committee after its fourth hearing, would allow for mandatory bindovers of juveniles to adult court only in cases of aggravated murder.

Clark County Prosecutor Andrew Wilson, testifying on behalf of the Ohio Prosecuting Attorneys Association, said the mandatory bindover that was established in 1996 played a role in reducing crimes among juveniles.

"While other factors undoubtedly led to this decline in juvenile crime, the deterrent effect of the mandatory bindover statute certainly played a part," he said. "Public safety improved."

Mr. Wilson also took issue with the proposed elimination of the serious youth offender designation except in the case of a reverse bindover.

"The enactment of the SYO statute in 2001 was a follow-up effort to the enactment of the mandatory bindover statute a few years earlier," he said. "Mandatory SYOs, a method of blending juvenile and adult sentences, encourages rehabilitation for certain

juveniles who are not boundover, but who are nevertheless sent to DYS for a very serious offense."

Elizabeth Wells, legal director at the Ohio Crime Victim Justice Center, said the measure will allow juvenile offenders to re-offend.

"Ohio's mandatory bindover laws are only applicable to the most serious offenders," she said. "These are not kids who steal from Walmart or get into a fight at school. These are offenders who are committing serious felony crimes such as murder, sex crimes, and other crimes of violence. These offenders' actions are causing grievous harm to Ohio citizens. In some cases, the harm is irreparable."

Erin Davies of the Juvenile Justice Coalition, however, said that juveniles forced into the adult court system are more likely to re-offend. She also called for the mandatory bindovers for aggravated murder to be eliminated.

"We believe this provision should be eliminated because it does not allow judges to consider any additional circumstances of the offense," she said. "In addition, any mandatory bindover is based on what a youth is charged with, not what they are ultimately convicted of, which in the case of aggravated murder will often be a lesser offense."

Mary Wachtel, director of public policy of the Public Children Services Association of Ohio, in interested party testimony raised concern about a provision that would allow guardians ad litem to file to place a child in a planned living arrangement.

"We are concerned for two reasons," she said. "First, this is a significant policy change that we believe deserves a thorough examination on its own, rather than as an add-on to this juvenile law reform bill. Secondly, we believe this provision will lead to more youth being placed in PPLA and then emancipating from foster care without permanency and at risk for poor outcomes."

The panel also received interested party testimony from Theresa Cody-Hannah and Lynette Grace.

Tax Credit Testimony Shines Light On Challenges Faced By Volunteer Firefighter Groups

Lawmakers reviewing a proposed tax break on Tuesday got a primer on the changing landscape of local fire departments, which includes a dwindling pool of volunteers who are willing to go through extensive training and give up their personal time.

Proponents of a measure to grant income tax credits for volunteer firefighters or emergency medical service technicians (HB 575) told members of the House Ways & Means Committee that the financial incentive is a good start toward attracting more help for the financially strapped local groups.

"Ohio, just like the rest of the nation, is facing a volunteer crisis. My hope is that this bill, in a small way, will give people an incentive to volunteer in their community," said Nick Magoteaux, the founder and co-executive director of the Ohio nonprofit Brothers Helping Brothers. "Now I want to make this clear, is not the cure all for the issues facing volunteer firefighters in our state. However, I see this as a good starting point to making our communities stronger."

Mr. Magoteaux said he proposed the concept of the bill to sponsor Rep. Candice Keller (R-Middletown) after meeting with volunteer groups around the state as part of his involvement with his nonprofit.

"Ohio is facing a potential firefighter shortage. Many departments rely on volunteer and part-time help to make ends meet, but this pool of people is getting smaller," he said. "Without intervention, our fire departments could be in deep trouble."

Representatives of the Ohio State Firefighters Association, Ohio Fire Chiefs' Association, Ohio Township Association and local fire districts made similar arguments while urging support for the bill.

Many of the witnesses were asked questions regarding how volunteer departments operate, and all spoke to a downturn in interest among young people for joining a local service.

"The passion and dedication of our firefighters that serve our community is evident by the fact that our department's average years of service is 21, with members ranging from three years to 63 years of service," said Jason Conklin, a firefighter for the Lindsey Volunteer Fire Department for the past 24 years deputy chief for the past seven years.

"However, we have seen a disproportionate number of new firefighters joining the department compared to the number of firefighters retiring. Within the past two years, four firefighters, with an average 35 years of service, retired while only two new firefighters joined."

Asked by Rep. Doug Green (R-Mt. Orab) about the possibility of the Sandusky County volunteer group becoming a full-time outfit covered by levy funds, Mr. Conklin said that wouldn't be possible because of the nature of the tax base in the area covered by the district. A vast majority is agricultural land, he said.

Nevertheless, the department has seen an increase in calls in recent years that has put additional financial strains on the volunteers, he said.

"Although we receive tremendous support from our community, our meager budget does not allow us to compensate our firefighters for their time and/or costs associated with being on our department," Mr. Conklin said.

"The passage of HB575 would make an immediate, positive impact on the Lindsey Volunteer Fire Department, and our community, by allowing us to offer some monetary

incentives to recruit new firefighters, while giving our existing firefighters a tax credit that could be used to compensate them for some of their out of pocket expenses and/or lost wages from time away from work."

Christopher Peterson, captain on the Lordstown Village Fire Department, said some volunteers use personal funds and time to pay for training, putting fuel in apparatus, and purchasing tools and equipment.

"I believe this will greatly help with firefighter recruitment/retention," he said. "Approving this tax credit will also give support back to a firefighter that serves their community."

Colin Altman, chief of Miami Township Fire-Rescue in Greene County and testifying on behalf of OFCA, said, "Ohio's volunteer fire service faces a very real crisis."

"As I have traveled across the state for the OFCA Volunteer Committee, I have heard the same story time and time again. Chiefs talk of the struggle to recruit and retain volunteer firefighters and EMTs," he said. "Increased training standards, expanded duties, an increasing volume of emergency calls and a more transient workforce make the fire service less attractive to volunteers, who traditionally have played a crucial role in community fire departments and annually save municipalities & townships across the state millions in personnel costs."

Rep. John Rogers (D-Mentor-on-the-Lake) noted the Legislative Service Commission's Fiscal Note Estimate that the bill could eventually result in \$107 million a year in revenue losses to state and local governments and asked whether that money would be better spent on needed equipment upgrades for local departments.

"If you don't have a fire truck, you can't get to the fire," Rep. Rogers said, while adding that he was sympathetic to the push for the bill and would likely support it.

Chief Altman acknowledged there are always financial needs, but that bolstering volunteerism is a top priority. In his department there used to be 40 volunteers, he said, and now there are 18.

"Anything we can do" to bolster volunteers would be helpful, he said.

The witness told Rep. Teresa Fedor (D-Toledo) that the retention rate for volunteers is only about 50%. Enthusiasm tends to wane when they realize the first firefighter class lasts three months, an advanced course four months, and then service can mean responding to emergencies at all hours, he said.

"They start realizing it's not as fun as they thought," Chief Altman said, adding his department responds to about 1,200 calls a year with mostly volunteers.

Rep. Jack Cera (D-Bellaire) asked the chief and OTA's Heidi Fought about other approaches to improving rural firefighting districts, with both acknowledging that the

desire for local control can be an impediment to creating larger districts and encouraging collaborations.

This despite a recent study by a class he teaches that found the districts in Greene County could save \$2 million a year with a countywide setup, Chief Altman said.

Rep. Cera agreed there are some local concerns at play in that regard. "'I'm not trying to mandate fire districts, but maybe we could incentivize somehow the creation of fire districts," he said.

Mr. Altman said there are federal incentives available for local groups that collaborate. He also told panelists that various grants are available to pay for firefighter training.

Responding to a question of tax fairness from Rep. Derek Merrin (R-Monclova), the chief said that emergencies "know no boundaries" and that travelers through other jurisdictions can be the beneficiaries of a volunteer's response.

Ms. Fought said volunteers account for 71% of the firefighters in the U.S.

"Townships and the people they serve depend highly on volunteers to provide safety services for their residents. Volunteer first responders save communities and states billions of dollars annually across the U.S. when compared to the cost of full-time paid professional forces," she said.

"Unfortunately, increased costs of training and equipment discourage many individuals from volunteer service. The OTA believes that some form of tax relief would be an excellent incentive for volunteers in safety services."

Subscribers Note: Full testimony is available on the committee's website under May 22.

Democrats, Advocates Continue Pressing For Wind Setback Revision

House Minority Leader Fred Strahorn on Tuesday told the House Public Utilities Committee that the state should revise wind turbine setback requirements.

At the same time, advocates with Conservatives for a Clean Energy Future delivered thousands of signatures to 10 Republican House lawmakers urging them to act on the issue.

The legislation from Rep. Strahorn (D-Dayton) is the latest from Democratic lawmakers in both chambers who are urging revisions to setbacks adopted in 2014 they say crippled wind farm development. The legislation (HB 604) received a first hearing before the committee but similar Democratic proposed fixes have failed to move in both chambers.

Republican efforts are still alive in the Senate - including a standalone bill (SB 238) from Sen. Matt Dolan (R-Chagrin Falls). And last week a controversial bill to loosen the renewable energy standards was amended by the Senate Energy & Natural Resources Committee to include a wind setback reduction. (See Gongwer Ohio Report, May 16, 2018)

Rep. Strahorn's proposal is in line with the Dolan bill and would revert law to the pre-2014 setbacks, which measured the setback from the exterior of the nearest habitable residential structure rather than current law that measures the distance from the nearest property line. It would also make the Qualified Energy Project Tax Exemption Program and Payments in Lieu of Taxes - or PILOTs - permanent.

"HB604 simply re-establishes the habitable structure setback, removes government barriers to business growth and development, and allows Ohio's communities to have control over their own economic future," Rep. Strahorn said.

Rep. Bill Seitz (R-Cincinnati), however, balked at that and questioned Rep. Strahorn's information on how other states handle the issue. The proposal, he argued, would put homeowners within range to be hit by ice and blades in the case of a failure and he questioned the sponsor's claim that Ohio's is among the most restrictive setbacks in the nation.

"What I've been trying to get from the wind corporate greed seekers is real data on what the setbacks are (elsewhere)," Rep. Seitz said. "Because I've been collecting them for 10 years."

He also shared a graphic hypothetical situation in which a young girl is hit in the head with a piece of metal thrown by a turbine while playing in the yard. How, he asked the sponsor, do you justify that risk?

Rep. Strahorn likened it to airline accidents that pose risks but generally don't deter travelers.

"We can try to be more safe," the sponsor replied. "But I don't know that the level of care that's gone to create this difference in setbacks really protects that many people. What I do know is it harms the industry."

Committee Chairman Rep. Robert Cupp (R-Lima) was among the 10 lawmakers receiving signatures in support of a change by Conservatives for a Clean Energy Future. The group announced its 4,076 signatures during a Statehouse news conference.

"If the setback is not fixed Ohio stands to lose out on \$4.2 billion in economic development and 13,000 new jobs," said Mark Pischea, the group's president. "It is imperative setbacks are fixed to provide market certainty for companies looking to invest and retain jobs in Ohio."

Mr. Pischea said the group supports the revised HB114's setback provision but has no stance on the remainder of that legislation. When it comes to HB114 or Sen. Dolan's standalone bill on setbacks, Mr. Pischea said, the group isn't picky.

"The Senate's done their job," Mr. Pischea said. "Now it's time for House members to embrace the language that's been put forward."

Among those receiving signatures from the group was House Speaker Pro Tem Rep. Kirk Schuring (R-N. Canton) and Rep. Ryan Smith (R-Bidwell), who is seeking to be elected speaker in a vote expected to occur during the chamber's Wednesday session.

Others include Rep. Sarah LaTourette (R-Chagrin Falls), Rep. Scott Ryan (R-Newark), Rep. Dave Greenspan (R-Westlake), Rep. Theresa Gavarone (R-Bowling Green), Rep. Nathan Manning (R-N. Ridgeville), Rep. Rick Carfagna (R-Westerville), and Rep. Riordan McClain (R-Upper Sandusky).

Some property owners, however, remained concerned with the proposed changes, including the Interstate Informed Citizens Coalition, which attended both Mr. Pischea's press conference and the hearing for Rep. Strahorn's bill. They, like Rep. Seitz, cited a May 4, 2018, accident in Ontario in which a turbine blade broke and traveled up to 1,800 feet from the turbine.

Medical Marijuana Closed-Loop Payment System Bill Fails In House Committee Vote

In a rare defeat, a House panel on Tuesday rejected a proposal requiring the state to create a closed-loop payment system for medical marijuana businesses.

The House Government Accountability & Oversight Committee voted 7-5 against reporting the measure (HB 495) after adopting an amendment that sponsor Rep. Bill Seitz said helped clarify the overall intent of the legislation.

The Cincinnati Republican's proposal would require the state to create the self-contained banking system for medical marijuana, which the law creating the program (HB523, 131st General Assembly) simply made optional for state agencies.

The amendment would have directed the state to formally ask that Congress exempt medical marijuana enterprises with a closed loop system from federal banking laws. It would also provide that if Congress legalizes medical marijuana or the banking of it, Ohio would dismantle its closed-loop payments system in favor of normal banking.

"We're making it clear that what the game plan is is to use this bill to go to Congress and allow those licensed medical marijuana enterprises to bank their money so it's not a cash system," Rep. Seitz said.

After the sponsor moved to report the legislation, the no votes carried the day, with Republicans Rep. Tim Ginter (R-Salem), Rep. Scott Lipps (R-Franklin), Rep. Riordan

McClain (R-Upper Sandusky) and Rep. Dorothy Pelanda (R-Marysville) joining the three Democrats present in opposition.

Committee chairman Rep. Louis Blessing (R-Cincinnati) said after the meeting that Rep. Seitz had asked for a vote.

In past hearings, the committee heard from medical marijuana businesses who said the proposal was not needed and could create unnecessary burdens for businesses and patients. (See Gongwer Ohio Report, March 13, 2018)

The measure also might not be necessary if state-chartered banks and other institutions are able to provide banking services, industry leaders said.

Rep. Blessing said committee members voiced some of the same concerns.

"A lot of the opponents that you saw in previous hearings had those concerns - that you don't see the big warehouses full of cash out west so is this a solution in search of a problem?" he said in an interview.

Advocates Of A-F Report Card System Push Back

Two groups urged legislators at a House committee Tuesday to continue to use letter grades to measure the performance of school districts amid a push to reform the entire system.

The feedback at the House's Education & Career Readiness Committee came in response to a proposal (HB 591) by Rep. Mike Duffey (R-Worthington) to overhaul the state's report card system by replacing letter grades with a dashboard of data.

The measure has received backing from statewide groups representing school boards, superintendents and treasurers, who have expressed concerns that the existing report cards can be misleading and difficult to interpret. (See Gongwer Ohio Report, April 13, 2018)

But not every group in the field approves of the legislation.

Chad Aldis, vice president for Ohio policy and advocacy at the Thomas B. Fordham Institute, said although his organization supports reforming the report card system, it does not advocate the measure at hand because it "throws out the baby with the bathwater."

"It replaces the present system with data dashboards displaying an array of statistical information but (offers) no ratings that can help provide a clearer understanding of the data," he said.

He said the Fordham Institute backs a number of changes to the report card, such as reducing the number of components for which districts receive letter grades.

Kim Preston, Midwest regional legislative director for Excellence in Education in Action, said her group's "biggest concern" with the measure is the transition from letter grades to a system that may be more difficult for parents to understand.

"At the end of the day, parents deserve to know and understand how their child's school is performing," she said. "The best way to do that is through a transparent, objective school accountability system, and an A-F school grading system recognizes success and exposes failure in a way that everyone can understand."

Christy Hovanetz, the group's senior policy fellow, said letter grades also are used more commonly by states than any other type of accountability system for school districts. She said A-F systems can be clear and easily understandable.

Rep. Andy Brenner (R-Powell), the committee chairman, said he's heard from school administrators who are frustrated they cannot reproduce certain grades on the existing report card, which leads to a lack of faith in the system.

Ms. Hovanetz said the state needs to move toward a more transparent system if it wants the education community and public to buy into it.

"It's really challenging to get people to trust a system they don't know and don't understand," she said.

Even proponents of the legislation have raised concerns about the lack of changes to the state's accountability system, which is currently tied to the A-F report card.

Rep. Duffey said Tuesday he asked the Legislative Service Commission if they could map the accountability system to the underlying data from districts, as opposed to the letter grades. He said he hopes an amendment based on his request will be ready "sometime soon."

Rep. Duffey's proposal did receive support from groups representing career and technical educators at Tuesday's hearing.

Nancy Luce, superintendent of Upper Valley Career Center, who testified on behalf of the Ohio Association of Career and Technical Education, the Ohio Association of Career Technical Superintendents, and the Ohio Association of Compact and Comprehensive Career Technical Schools, urged approval. She said the existing system does not accurately reflect the performance of such institutions.

"When the State Board of Education and (Department of Education) developed the CTE report card, they lifted many of the components (and) requirements from the k-12 report card," she said. "As a result, we feel there is a skewed evaluation of our schools that does not accurately measure our success and progress."

The committee is expected to conduct the next hearing on the proposed legislation at 9:30 a.m. Wednesday.

Sponsor Details 'Cure Bill' Before Senate Committee

A House plan to financially incentivize the development of cures for diseases in addition to treatments had its first hearing in the Senate Tuesday as lawmakers probed for details on how the proposal would work in practice.

Known as the Cure Bill, the plan from Rep. Jim Butler (R-Oakwood) would create a multistate compact to provide financial prizes for the discovery of cures.

The measure passed the House 83-6 in March. During the committee process in the House, it drew some concerns from the pharmaceutical industry. (See Gongwer Ohio Report, February 14, 2018)

Current developments of medications tend to focus on finding treatments for diseases, rather than cures, because treatments guarantee the companies that develop them will be more likely to profit from them, the sponsor said.

"This is not the fault of the private companies, given the nature of our current economic system," Rep. Butler said. "They have a duty to shareholders to maximize profits, and they could never get as much return on investment from a cure as they can get from treatment. This is not to say developing treatments for diseases like AIDS is not a worthy endeavor, but that treatments are already incentivized in our current system are cures are not."

Publicly funded research is often designed to advance science, but tends not to focus specifically on curing diseases, he added.

Participating states would pledge five years of their savings from a disease's cure as a prize for research that cures certain diseases chosen by the compact, he said.

"The Cure Bill is a first-of-its-kind proposal," the sponsor said. "As with all new proposals, I'm sure there will be plenty of skeptics who will reflexively think it can't work simply because it doesn't sound like anything else currently being contemplated. In America, we do have the innovative capacity and resources to take on great challenges. I can think of no greater, more generous use of our collective financial resources and ingenuity than taking on the great challenge of curing major diseases."

Sen. Matt Huffman (R-Lima) asked if the proposal has been considered in other states.

Ohio would be the first state to pass it and is the first to introduce it, Rep. Butler said.

Sen. Peggy Lehner (R-Kettering) asked how the proposal defines a cure. That definition, Rep. Butler, said is up to the compact, but the therapy or procedure would have to cure the disease within one year.

Sen. Lehner asked what happens if a prospective cure eliminates all symptoms only for them to return years later. That would be determined by the compact, Rep. Butler said.

Sen. Bill Beagle (R-Tipp City) said the implication is that research comes down to a financial decision. He asked if research for treatments is an important step in the process of developing cures for a disease.

"What this bill does is it gives the financial incentive to do the second part," Rep. Butler said.

"This bill adds more incentive to the system," he added. "It doesn't take any away."

Sponsor Continues Push For Committee Vote On Submetering Bill

Rep. Mike Duffey (R-Worthington) is once again asking members of the House Public Utilities Committee to bring his legislation to regulate submetering to a vote.

The sponsor appeared before the committee Tuesday for the measure's sixth hearing to brief them on new changes in a substitute bill he's been working on. (See Gongwer Ohio Report, May 3, 2018)

The committee ultimately accepted the sub bill, an early version of which Rep. Duffey outlined for members back in February. (See Gongwer Ohio Report, February 20, 2018)

Outlining newly included changes, Rep. Duffey said the sub version gets the measure one step closer after negotiations with resellers, electric distribution utilities and consumer groups fell through. The utilities and advocate groups are supporting the legislation that would grant the Public Utilities Commission of Ohio new authority to regulate resellers, which are third party companies who mark-up utility costs.

"It's the same general premise heard before," Rep. Duffey said of the changes. "Within one year the PUCO is granted broad authority over resellers. The default is they are regulated like utilities but the PUCO may exempt them from things that don't apply to them."

Resellers, like Nationwide Energy Partners and American Light & Power, are against the measure and instead favor a Senate regulatory approach (SB 157) they view as more industry friendly. (See Gongwer Ohio Report, January 18, 2018)

New additions to the sub version include modifications to language permitting a seller to obtain a pricing restriction waiver - rather than the prior waiver from regulation - and provisions requiring the PUCO to adopt rules governing that waiver application process. (Comp Doc)

The sub version also adds several new provisions - in addition to the changes the sponsor previously outlined in February - including language:

- Giving an electric distribution utility the right of first refusal to build out facilities needed to serve individual end-use customers.
- Stating that a utility has the right to serve end-use customers in its service territory.
- Prohibiting a residential utility reseller from redistributing or reselling electricity purchased from a utility provider at a specific location or premises unless the utility waives certain rights.
- Requiring the PUCO to adopt rules governing the process for a utility to waive its right of first refusal to build distribution facilities to serve individual end-use customers in lieu of a residential utility reseller.

Tom Froehle, AEP's vice president of customer affairs, bemoaned the practice of reselling, criticizing those companies for marking up prices for their customers and lacking transparency. He said the presence of resellers also reduces utility footprints, thereby diminishing ability to invest in distribution system.

"This practice should stop and the PUCO should be able to promulgate submetering rules, to hear complaints regarding submetering companies, to order submetering companies to follow submetering laws or regulations, and to ensure orderly transition from submetering to public utility service for tenants," Mr. Froehle said.

"Every day this bill is delayed more customers get caught up into this unfortunate situation," Mr. Froehle added.

Rep. Mark Romanchuk (R-Mansfield) questioned why EDUs are seeking the right of first refusal language. "Why can't you compete and make your case and let the best vendor win?" he asked.

Mr. Froehle replied that if the law was amended to let AEP and its contemporaries operate under the same conditions as resellers he would support that. "That just means we wouldn't be regulated," he said. "(We'd be going) head to head."

He told Chairman Rep. Robert Cupp (R-Lima) the company could create an affiliate to operate in the same manner as resellers but that that would only "rip off customers more" and that "it's bad business."

Dave Robinson, representing the Utility Management and Conservation Association, provided interested party testimony in which he requested four amendments to the legislation. The association represents submetering companies which, unlike resellers, do not mark up the cost of utility service, with the only added cost being an administrative fee.

His proposed changes include modifying the definition of a third-party billing service to include those charging a "reasonable monthly administrative fee" regardless of whether it is charged as part of a standard monthly charge such as rent.

Additionally, he requested language be removed stating nothing in the relevant code section limits a municipality or local jurisdiction from limiting or prohibiting residential reselling - a change that he said would enable submetering companies to avoid having to negotiate with individual municipalities.

Other amendments he put forward include clarifying that submetering using the actual cost plus an administrative fee is permissible, and limiting the resale or billing of municipal and private water service to the actual cost plus an admin fee.

State Unveils Toolkit Aimed at Keeping Students Healthy; School Resource Officer Conference Scheduled; ODE recognizes Purple Star Schools

A collaborative effort by multiple state agencies led to the creation of the new School-Based Healthcare Support Toolkit.

The online resource includes answers to common questions and other material aimed at reducing chronic absenteeism related to student health issues.

The toolkit also offers resources for educators interested in developing partnerships with health care providers, as well as best practices for those collaborations. The Department of Education, Department of Health, Department of Mental Health and Addiction Services, Department of Medicaid and the Governor's Office of Health Transformation contributed the creation of the toolkit.

Conference: The 2018 School Resource Officer and DARE Officer Conference will run from June 25-27 at the Crowne Plaza in Dublin.

Presentations scheduled for the conference include a drug awareness update, a session on exceptions to search warrant requirements and a discussion on human trafficking involving minors.

Along with school resource and DARE officers, the event is open to school administrators, counselors and juvenile probation officers, among others.

Prospective attendees must register for the event by June 15.

ODE: The department announced Tuesday 33 additional schools have received the Ohio Purple Star Award, which honors schools that support students with family members who serve in the military.

"A supportive school environment can have a significant impact on our military-connected students, and we're happy to see such a great interest in this designation by

Ohio's schools," Paolo DeMaria, the state superintendent of public instruction, said in a statement. "These Purple Star schools provide our children and families with the resources they need to be successful. We're thankful for their service and honored to continue the important work of improving services for Ohio's military families."

After earning the award, schools must reapply for the designation every two years. Past recipients of the honor can be found online.

Kent State: The University announced this week a donor has given \$2 million to fund a visiting director program within School of Theatre and Dance.

Along with the \$2 million gift, which endows the Roe Green Visiting Director Series in perpetuity, the Roe Green Foundation also gave KSU \$175,000 outright, according to a release from KSU.

"Roe's generosity is driven by her sincere passion for students," Kent State President Beverly Warren said. "Her support continues to have a profound impact on our students' lives and futures by creating purposeful opportunities for students to grow their talents under the tutelage of renowned directors. We are all thankful for Roe's generous and ongoing support to Kent State and our School of Theatre and Dance."

KSU first established the visiting director series in 2003. More than 800 students have participated in the program since its inception, according to the university.

"Seeing the wonderful evolution of the visiting director series over the years and its great benefit to the School of Theatre and Dance has been immensely rewarding," Ms. Green said. "I love to hear the stories of our talented Kent State students who earn themselves roles and positions on the national stage through the connections they make here with the visiting director. The series is intended to raise the profile of our fabulous program and its graduates, and I know that those positive outcomes will only grow from here."

Governor's Appointments

Ohio AMBER Alert Advisory Committee: Grace Moran of Columbus (Franklin Co.) for a term beginning May 22 and ending Feb. 6, 2019.

Supplemental Agency Calendar

Wednesday, May 23

~~Canceled: Pharmacy Board, Rms. South B&C, 31st Fl., 77 S. High St., Columbus, 8:30 a.m.
(Special meeting on medical marijuana issues)~~

Thursday, May 24

~~Elections Commission, Rm. East B., 31st Fl., 77 S. High St., Columbus, 10 a.m.~~

Supplemental Event Planner

Tuesday, June 26

Ohio Department of Taxation public hearing on 2018 CAUV, 30 E. Broad St., 22rd Floor,
Columbus, 10 a.m.

17 S. High St., Suite 630

Columbus Ohio 43215

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Tom Gallick, Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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House Activity for Tuesday, May 22, 2018

INTRODUCED

HJR 17 ■ **LEGISLATOR APPROVAL (Ramos, D.)** Proposing to amend Section 15 of Article II of the Constitution of the State of Ohio to require the affirmative vote of the Representative or Senator who represents a particular district in order to pass a bill that disproportionately affects persons, property, or activities in that district.

HJR 18 ■ **LEGISLATIVE VACANCIES (Ramos, D.)** Proposing to amend Section 11 of Article II of the Constitution of the State of Ohio to require a vacancy in the General Assembly to be filled by holding a special election.

HB 662 ■ **IMMIGRATION LAWS (Howse, S., Ramos, D.)** To clarify a municipal corporation's authority to enact policies to effectively allocate its resources in order to satisfy municipal law enforcement needs and comply with federal immigration laws as appropriate. Am. 9.63 and to repeal section 9.63

HB 663 ■ **COLLEGE STUDENTS (Ramos, D.)** To require the establishment of a program to notify college students of eligibility for programs and services of the Departments of Job and Family Services and Medicaid. Am. 3333.0417

HB 664 ■ **NALOXONE USE (Ramos, D.)** To cease payments to a subdivision that materially hinders or prevents its personnel from carrying and using naloxone. Am. 9.64

HB 665 ■ **ELECTION TIES (Ramos, D.)** To require that if a tie occurs between candidates in an election, a special election be held to resolve the tie. Am. 705.32, 3501.01, 3501.17, 3505.33, 3505.34, 3505.35, 3505.36, 3505.37, 3513.22, and 3515.14 and to enact section 3505.331

HB 666 ■ **HIGHER EDUCATION EXPENSES (Ramos, D.)** To authorize a refundable income tax credit for the amount of undergraduate higher education expenses paid by or on behalf of a student to attend a public Ohio institution of higher

education. Am. 5747.08, 5747.20, 5747.21, and 5747.98 and to enact section 5747.82

HB 667 ■ **COMMITTEE BROADCASTS** (Ramos, D., Retherford, W.) To require the Ohio Government Telecommunications Service to broadcast all standing committee meetings of the Ohio House of Representatives as they occur. Am. 3353.07

HB 668 ■ **PUBLIC FACILITIES** (Patton, T.) To authorize state agencies, state institutions of higher education, counties, townships, municipal corporations, school districts, community schools, STEM schools, and college-preparatory boarding schools to enter into public-private initiatives with a private party through a public-private agreement regarding public facilities. Am. 168.01, 168.02, 168.03, 168.04, 168.05, 168.06, 168.07, 168.08, 168.09, 168.10, 168.11, 168.12, 168.13, 168.14, and 168.15

HB 669 ■ **PUBLIC NUISANCES** (Hughes, J., Miller, A.) To add the accumulation of garbage and debris to the conditions that may constitute a public nuisance. Am. 3767.41

HB 670 ■ **MUNICIPAL TAXES** (Barnes, J.) To enact the "Simplified Alternative Withholding Tax Compliance Act" authorizing an employer to enter into an agreement with a municipal tax administrator to prescribe, subject to certain parameters, the portion of nonresident employee wages that will be subject to the municipal corporation's income tax. Am. 718.01, 718.011, and 718.03 and to enact section 718.032

HB 671 ■ **SCHOOL WATER** (Barnes, J.) To require the Director of Environmental Protection to adopt rules establishing procedures and requirements governing annual testing of school drinking water for lead, to name this act the State Water Quality Act for Kids, and to declare an emergency. Am. 6109.122

HB 672 ■ **PUBLIC RECORDS** (Barnes, J.) To create a procedure by which a person may obtain a court order to correct an error, omission, or legal defect in a public record, and to name the act the "Final Order Correction Act." Am. 149.46

HB 673 ■ **LEAD PAINT (Barnes, J.)** To require the Director of Health to develop a program in partnership with paint manufacturers and retailers to provide low-cost paint for use in lead abatement and to establish a registry of residential units where lead poisoning has occurred. Am. 3742.11 and 3742.12

HB 674 ■ **BUS DRIVERS (Barnes, J.)** To enact the Public Bus Driver Protection Act to increase the penalty for assault of a transit system employee and to authorize Ohio transit systems to post warnings regarding the assault of a transit system employee. Am. 2903.13 and to enact section 306.20

HB 675 ■ **TAX LEVY (Barnes, J.)** To expressly authorize municipal corporations to impose an unvoted property tax levy not exceeding one mill per dollar of taxable value for the purpose of funding a local Hope for a Smile Program. Am. 705.06 and to enact section 749.40

HB 676 ■ **TRAFFIC NOISE (Barnes, J.)** To require the Director of Transportation to conduct a traffic noise analysis and to construct noise barriers under specified circumstances. Am. 5517.06

HB 677 ■ **MENTAL HEALTH (Barnes, J.)** To require the Department of Mental Health and Addiction Services to operate a demonstration program under which a mental health trauma center is established as part of a county hospital located in Cuyahoga County. Am. 5119.80

HB 678 ■ **PUBLIC RECORDS (Barnes, J.)** To permit staff of the Ohio Legislative Service Commission to request public records on behalf of members of the General Assembly, and to permit the Commission to issue subpoenas for public records at the request of a General Assembly member. Am. 103.13 and to enact sections 103.171 and 103.26

HB 679 ■ **UNEMPLOYMENT BENEFITS (Barnes, J.)** To prohibit a claimant's unemployment benefits from being reduced during any week that the claimant receives compensation for participating in a qualifying training course. Am. 4141.313

HB 680 ■ **SCHOOL BUSES (Barnes, J.)** To require all passenger seats on school buses to be equipped with occupant restraining devices beginning on July 1, 2019, and to designate "Safe School Week." Am 5.49 and 4511.773

HB 681 ■ **COMMUNITY OUTREACH (Barnes, J.)** To create the community outreach grant program fund and to fund it temporarily with amounts diverted from the reparations fund. Am. 2743.191, 2743.70, 4503.234, and 4511.191 and to enact section 109.922

HB 682 ■ **DENTAL HYGIENE (Barnes, J.)** To establish the Hope for a Smile Program through which buses are operated to offer dental hygiene services to Ohio schoolchildren and to fund the Program through a combination of cigarette and tobacco tax receipts, donations, and Medicaid and insurance reimbursements. Am. 5743.02, 5743.51, and 5747.01 and to enact section 3701.36

HB 683 ■ **VOTER REGISTRATION (Barnes, J.)** To prohibit the cancellation of an elector's registration under a database maintenance program if the elector has a current and valid Ohio driver's license or state identification card and to require that this act be known as the Ohio Voting Rights Act for Licensed Voters. Am. 3501.05 and 3503.21

HB 684 ■ **COMPANION ANIMALS (Barnes, J.)** To prohibit a person from knowingly allowing a companion animal to be tethered outdoors under specified circumstances. Am. 959.99 and to enact section 959.134

HB 685 ■ **DRONES (Barnes, J.)** To regulate the operation of drones near airports and to impose certain record-keeping requirements on retail sellers of drones. Am. 4561.50 and 4561.51

HB 686 ■ **DISTRESS COMMISSIONS (Barnes, J.)** To enact the "Student Transformative Academic Restoration Act" to abolish academic distress commissions and to instead require the creation of community learning centers for poor performing districts, to establish an office of grants and philanthropic gestures within the Department of Education, to create the State Business Intervention Fund, to create a teacher education advancement program, and to modify earmarked appropriations for academic distress commissions. Am. 133.06, 3302.036, 3302.042, 3302.12, 3302.16, 3302.17,

3302.18, 3310.03, 3311.29, and 3314.102; to enact new section 3302.10 and sections 3301.132, 3301.41, 3313.361, and 3333.27; and to repeal sections 3302.10 and 3302.11 of the Revised Code; to amend Sections 265.10, 265.210, and 265.323 of H.B. 49 of the 132nd General Assembly and to repeal Sections 4, 5, and 6 of H.B. 70 of the 131st General Assembly

HB 687 ■ **BRIDGE NAMING (Rogers, J.)** To designate the bridge spanning the Grand River that is a part of Fairport Road, in Lake County, as the "Col. Donald Blakeslee Memorial Bridge." Am. 5534.814

HB 688 ■ **PREGNANCY RESTRAINTS (Antonio, N.)** To generally prohibit a law enforcement, court, or corrections official from restraining a pregnant woman or child who is a charged or adjudicated criminal offender or delinquent child at any time during her third trimester of pregnancy or during transport to a hospital, during labor, or during delivery and from restraining such a woman or child who was pregnant during any period of postpartum recovery. Am. 2921.45 and to enact sections 2152.75 and 2901.10

HB 689 ■ **NALOXONE USE (Antonio, N.)** To require the State Board of Pharmacy to educate license holders about the law authorizing the dispensing of naloxone without a prescription. Am. 4729.01 and 4729.44

HB 690 ■ **ROAD NAMING (Ingram, C.)** To designate a portion of Interstate 75 in Hamilton County as the "Hamilton County Veterans Memorial Highway." Am. 5534.813

HB 691 ■ **SCHOOL PROPERTY LEASES (Ingram, C.)** To allow school district boards of education to terminate property leases with community schools when they change sponsors. Am. 3313.411

HB 692 ■ **PRISONER TRANSFERS (Patmon, B., Seitz, B.)** To eliminate the ability of a sentencing court to disapprove a prisoner's transfer to transitional control if the prisoner is serving a term of imprisonment of two years or less. Am. 2929.20, 2930.03, 2930.06, 2930.16, 2967.12, 2967.19, 2967.26, 2967.28, and 5149.101.

HB 693 ■ **FIREARM CERTIFICATIONS** (Young, R.) To require a state certification to carry a firearm into a school safety zone and to grant an income tax credit for school employees or contractors who have such certification. Am. 109.73, 109.78, 2923.11, 2923.122, 2925.01, 5747.02, 5747.08, and 5747.98 and to enact sections 109.781, 2923.27, and 5747.69.

HB 694 ■ **CONTRACT LIMITATIONS** (Lang, G.) To shorten the period of limitations for actions upon a contract. Am. 2305.06 and 2305.07

HB 695 ■ **INDUSTRIAL PARK LOANS** (Thompson, A., Edwards, J.) To reinstate the rural industrial park loan fund and to make an appropriation. Am. 122.26

HB 696 ■ **MILITARY AFFAIRS** (Perales, R.) To establish the Office of Government and Military Affairs, and to authorize the Office to make loans to defense or NASA communities and grants to defense or NASA communities, defense or NASA support organizations, and certain state institutions of higher education. Am. 107.64, 107.65, and 107.66

HB 697 ■ **BEER SALES** (Lang, G., Perales, R.) To create the F-12 liquor permit to allow a nonprofit organization to sell beer at events that benefit the nonprofit organization. Am. 4303.2011

HOUSE SPEAKER'S APPOINTMENTS

Delaware County Transportation Improvement District Board of Trustees: Rep. Carfagna

COMMITTEE HEARINGS

Ways & Means

HB 545 ■ **SALES TAX REMITTANCE** (Arndt, S.) To authorize small retailers to remit sales taxes when the retailer receives payment from the purchaser if the payment is received after the purchased item is delivered or the service is provided. (**CONTINUED**; 2nd Hearing-Proponent)

Larry Fletcher, president of Lake Erie Shores & Islands, a partnership between the Erie and Ottawa County Convention & Visitors Bureaus, provided written testimony in support of the measure.

"My purpose in submitting testimony on this bill is not related to our organization's finances as we are not required to collect sales tax on any of the items we charge for. Our

organization does however represent hundreds of tourism industry businesses, and in looking at the annual revenue and 'micro-business' criteria in this bill, a large percentage of the businesses we represent qualify and I believe would find great benefit from passage of H.B. 545," he wrote.

HB 575 **VOLUNTEER TAX CREDITS** (Keller, C., Rezabek, J.) To grant income tax credits to persons who serve as volunteer firefighters or emergency medical service technicians. (**CONTINUED (See separate story)**; 2nd Hearing-Proponent)

HB 641 **TAX EXEMPTION** (Antani, N.) To exempt from sales and use tax things purchased by an interstate logistics business and used primarily to move completed manufactured products to the point from which they are shipped from a manufacturing facility and related power sources. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. Niraj Antani (R-Miamisburg) said his bill would help increase Ohio's competitiveness given that Indiana already offers such tax relief for forklift purchases.

"These products used for transportation, such as forklifts, and their power sources are essential for companies to be able to move their products," he said. "The logistics industry in the Dayton area alone has a \$2.5 billion annual economic impact. If the sales tax were exempted, this number could increase greatly and further expand business opportunities in Ohio."

The sponsor said a "qualifying business" is "a person that is in the transportation and warehousing sector by the North American industrial classification system, and that is primarily engaged in the business of transporting tangible personal property in trucks to destinations outside this state." The exemption also covers powering or charging tangible personal property used in the transportation of tangible personal property, he said.

"Currently, Ohio only exempts sales tax on forklifts for manufacturing, while Indiana exempts the tax on both manufacturing and logistics. This puts Ohio's logistics industry at a severe disadvantage, as well as Ohio based forklift manufacturers and retailers," Rep. Antani said.

"In order for our forklift retailers to remain competitive on a national scale, we need to be proactive in passing legislation that will put them on the same playing field as other states. HB641 will help give businesses in Ohio the same advantage that other states have already been benefitting from."

Rep. Antani noted that a similar provision was included in the biennial budget but vetoed by Gov. John Kasich. He told Rep. Craig Riedel (R-Defiance) that he assumed the governor was concerned about targeted tax breaks and revenue losses.

The sponsor was asked about the bill's application to power sources such as batteries and fuel cells and whether those might apply to the same systems used for equipment other than forklifts. He said he would review the language to make sure.

Rep. Antani said the tax break is especially needed in western Ohio, where he knows of businesses that go across the border to purchase forklifts and thus get that state's tax exemption. Rep. Gary Scherer (R-Circleville) asked whether the lawmaker knew if those businesses were paying the required state use tax on those purchases, to which the sponsor said he was unsure.

Asked about the current tax setup's specific fiscal impacts on businesses, Rep. Antani said he mostly has anecdotal data, but that "many major companies are crossing state lines to buy this product."

Rep. Scherer also questioned whether other equipment used by the warehousing and distributing sectors should also be exempted from taxes, such as pallets, racks and shelving. While stating that the bill targets forklifts in part because of the higher cost, Rep. Antani said he'd be willing to expand the tax break because he is supportive in general of tax cuts. "You won't have an argument from me there," he said.

Finance

HB 602 **WATER SEWER SERVICES (Duffey, M., Lanese, L.)** To penalize a municipal corporation for engaging in certain actions related to its provision of water and sewer services outside of its territory by reducing or withholding payments the municipal corporation receives from the Local Government Fund and rendering the municipal corporation ineligible for state water and sewer development funds. (CONTINUED; 1st Hearing-Sponsor)

Rep. Mike Duffey (R-Worthington) and **Rep. Laura Lanese** (R-Grove City) said the measure is akin to a prior budget amendment that was vetoed by **Gov. John Kasich**. It would prohibit any municipality accepting state funding for water and sewer upgrades from discriminating against customers based solely on where they live.

Rep. Duffey said Ohio cities "routinely" charge township residents 50% or more above the cost other residents receive for water and sewer services.

"You also likely do not know that cities are withholding basic health needs like water and sewer as a means to force annexation or even forcing 'pay for play' without requiring annexation but instead demanding a permanent income tax revenue share, without offering services in return," Rep. Duffey told committee members.

Rep. Lanese said the issue impacts areas of the state in which residents can least afford to pay these "unconscionable rates."

"What makes this situation more troubling is that the municipalities that are charging these rates are being subsidized by all Ohio taxpayers to maintain and expand their water and sewer infrastructure," Rep. Lanese said. "Moreover, these 'outside' ratepayers have no grievance policy or ability to affect their rate increases."

Rep. Emilia Sykes (D-Akron) questioned the impact on resident bills, especially if charging those customers more effectively reduces rates for other customers. "It seems as though with implementing this everyone's costs are going to go up to cover this," she said.

Responded Rep. Duffey: "It would actually lower costs and the reason is in the state of Ohio we do not have economies of scale."

Rep. Mark Romanchuk (R-Mansfield) questioned the reason for the original gubernatorial veto, which the administration at the time attributed to a potential development project with Foxconn. Was there any other reason given by the governor's office? he asked.

"It's hard to speculate," Rep. Duffey replied. "What I know is the Columbus business community...felt not that they disagreed with the premise of the amendment in the budget but that if there was going to be a retaliatory action by the city of Columbus it would just create static in the environment and they don't want that static to exist."

Rep. Dan Ramos (R-Lorain) questioned how communities can earn back costs if they are left on the hook of serving new township developments. Rep. Duffey answered that the service provider could charge to recoup actual costs under the plan.

HB 643 WATER IMPROVEMENTS (Arndt, S., Patterson, J.) To allow equipment for the protection and preservation of Lake Erie to be purchased with proceeds from the Parks and Recreation Improvement Fund and to appropriate funds for projects enhancing water quality in the Western Lake Erie Basin. **(CONTINUED; 2nd Hearing-All testimony)**

Agricultural groups spoke in support of the measure and touted their own efforts to adopt best practices and curb agricultural runoff. That's in response to criticism from environmental groups and other parties hoping for farmers to do more to address runoff fueling harmful algal blooms.

"Let the record show that our state's own farmer-led and farmer-organized associations have been, still are and continue to be willing partners with this General Assembly in promoting sound public policy that moves our farming community forward in becoming better stewards of healthy soils and clean water," said Mark Drewes on behalf of the Ohio Corn and Wheat Growers Association.

"Any one or any group that suggests that my fellow farmers and I have been absent in being part of the solution to improve farming practices and therefore improve water quality within the borders of our state have not been paying attention," he continued.

But Mr. Drewes, in response to a question from **Rep. Bill Reineke** (R-Tiffin), said he personally believes industry farmers should be prepared to move past the "self-regulation" phase and accept new regulations.

"I think we're at that point." Mr. Drewes told the lawmaker, adding that farmers traditionally "bristle" at the idea of regulations. "However, we fully own and recognize we have an issue in the lake."

Scott Metzger said on behalf of the Ohio Soybean Association that the group generally supports the measure's "targeted funding approach."

"House Bill 643 is an investment, by the state, in Ohio's farmers," Mr. Metzger said. "While this bill is a step in the right direction, we still have questions and concerns around the details of the targeted phosphorus reduction. We, as an agriculture community, have reached out to the bill's sponsors for clarification and OSA's support is contingent on the response to these questions."

Robert Brundrett, director of public policy services for the Ohio Manufacturers' Association, said in written testimony the measure "provides a thoughtful funding approach to address Lake Erie water quality issues" and a "prudent approach in providing resources that will improve the lake's water quality."

And the Ohio Dairy Producers' Association wrote that dairy farmers are "working tirelessly" to pursue best management practices. "ODPA strongly encourages the use of funds to include:

manure storage, handling; transportation and application equipment," the group added. Additional written proponent testimony was submitted by the Cattlemen's Association, the Pork Council, and the Poultry Association.

SB 135 **VOTING EQUIPMENT (LaRose, F.)** To make supplemental operating appropriations for the FY 2018-FY 2019 biennium and supplemental capital appropriations for the FY 2017-FY 2018 biennium to implement a voting machine and equipment acquisition program. (**CONTINUED (No testimony)**; 2nd Hearing-All testimony)

Subscribers Note: For full testimony see the [committee's website](#) under May 22.

Public Utilities

HB 143 **ELECTRIC COMPANIES (Sprague, R.)** To clarify the definition of "electric distribution company" for kilowatt-hour tax purposes. (**CONTINUED**; 4th Hearing-All testimony)

Joseph Olikar, senior regulatory counsel for IGS Distributed Generation, said the proposal addresses the "flawed" interpretation the Department of Taxation has adopted in recent years regarding the applicability of the kilowatt hour tax.

He seconded proponents' prior claim that ODT has incorrectly determined that the exclusion from the tax for those who self-generate electricity is not available to those partnering with third parties.

"To ensure that Ohio businesses can deploy behind-the-meter generation utilizing modern-day financing arrangements, the General Assembly should move to correct this inconsistency in the statute," Mr. Olikar said. "The bill provides a simple and straightforward clarification to ensure that the law is applied as originally intended. IGS encourages this committee to vote in favor of its passage."

HB 249 **SUBMETERING (Duffey, M.)** To permit the Public Utilities Commission to adopt rules governing residential utility reselling. (**CONTINUED-SUBSTITUTE (See separate story)**; 6th Hearing-All testimony-Possible amendments & substitute)

HB 604 **WIND SETBACKS (Strahorn, F.)** To alter the minimum setback requirement for wind farms of five or more megawatts and to make the authorization of qualified energy project property tax exemptions permanent. (**CONTINUED (See separate story)**; 1st Hearing-Sponsor)

Subscribers Note: For full testimony see the [committee's website](#) under May 22.

Government Accountability & Oversight

HB 425 **BODY CAMERAS (Antani, N., Craig, H.)** To provide that specified portions of peace officers' body-worn camera recordings and the infrastructure record of a public school are not public records for purposes of the Public Records Law. (**REPORTED-AMENDED**; 3rd Hearing-All testimony-Possible amendments & vote)

The committee voted unanimously to report the measure after accepting an amendment dealing with confidential law enforcement investigatory records.

The amendment allows records deemed confidential because of an investigation to be requested by the subject of the recordings or their representative after all legal cases are resolved, said **Rep. Bill Seitz** (R-Cincinnati), who offered the amendment.

Dennis Hetzel, president and executive director of the Ohio News Media Association, said the measure has the potential to be one of the nation's best laws involving body cameras. He recommended a series of changes to the exemptions in the measure, including the confidential investigatory records provision addressed by the amendment.

Mr. Hetzel also suggested that an exemption seeking to limit access to records that would show grievous injury or violence against a member of law enforcement or a first responder not apply to journalists. Additionally, he requested that language protecting health care information be narrowed.

Lastly, he urged lawmakers not to include dash cam footage in the legislation, but to wait to tackle that issue after the proposed body camera footage changes have been evaluated. "These matters notwithstanding, ONMA is please to support HB425," he said.

HB 469 ■ **TAX CREDIT (Schuring, K., Patton, T.)** To authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed use development projects. **(REPORTED-AMENDED;** 7th Hearing-All testimony-Possible amendments & vote)

The committee unanimously reported the proposal after accepting an amendment offered by chairman Rep. Louis Blessing (R-Cincinnati). The change adds having a floor area of 350,000 square feet or more to the qualifications for a project, he said.

HB 479 ■ **DRUG PRICE INFORMATION (Lipps, S., West, T.)** Regarding pharmacy benefit managers, pharmacists, and the disclosure to patients of drug price information. **(REPORTED;** 4th Hearing-All testimony-Possible amendments & vote)

The committee voted unanimously to report the measure.

Rep. Scott Lipps (R-Franklin), one of the sponsors, pointed to a May 17 statement by Seema Verma, administrator of the federal Centers for Medicare and Medicaid Services, indicating desire at the federal level to limit gag orders by pharmacy benefit managers. "We've been validated on a national basis of the gag clause rule that 479 addresses," he said.

The measure received written support from the National Community Pharmacists Association, which said it would protect patients by ensuring pharmacists can provide information to patients and prevent pharmacy benefit managers from inflating the patient's share of the cost of a drug.

HB 495 ■ **MARIJUANA PAYMENTS (Seitz, B.)** Relating to the closed-loop payment processing system under the medical marijuana control program. **(CONTINUED-AMENDED (See separate story);** 6th Hearing-All testimony-Possible amendments & vote)

HB 525 ■ **TAX CREDIT (Schuring, K.)** To extend eligibility for the motion picture tax credit to certain live stage theater productions, to increase the maximum amount of credits that may be awarded from \$40 million to \$100 million per fiscal year, and to make other revisions to the law governing administration of

the credit. (**REPORTED-SUBSTITUTE**; 6th Hearing-All testimony-Possible substitute & vote)

The measure was unanimously reported after the committee accepted a substitute bill described by Rep. Blessing as reducing the \$100 million proposed cap for the tax credits to the current \$40 million total. The credit, though, would still be expanded to Broadway productions. (**Comp Doc**)

SB 221 **AGENCY RULEMAKING** (**Uecker, J.**) To reform agency rule-making and legislative review thereof. (**CONTINUED**; 1st Hearing-Sponsor)

Sponsor **Sen. Joe Uecker** (R-Loveland) said the measure would take steps to eliminate informal policy making by state agencies which should be accomplished via formal rulemaking.

The Joint Committee on Agency Rule Review would have the authority to call agencies before the committee to explain informal policies and to ask the agency to write a formal rule, he said. JCARR could also ask why rules have not been proposed if an agency is required to do so and review rules between the five-year rule review period.

The legislation would also require agencies to follow a process of self-examination to search for policies that should be formalized in rulemaking, and that a person may petition an agency to write rules if they have been partner to an adjudication, an order or a civil action, the sponsor said.

"Please join me in supporting common sense reforms that will simplify government and allow businesses throughout Ohio to thrive," he said.

Subscribers Note: For full testimony see the [committee's website](#) under May 22.

Criminal Justice

HB 349 **POLICE ANIMALS** (**LaTourette, S.**) To increase the penalty for assaulting a police dog or horse and to include search and rescue dogs and horses in the prohibition against assaulting or harassing a police animal. (**REPORTED (No testimony)**; 5th Hearing-All testimony-Possible vote)

HB 355 **SEXTING** (**Hill, B., Rezabek, J.**) To generally prohibit sexting by a person under 21 years of age. (**REPORTED (No testimony)**; 4th Hearing-All testimony-Possible vote)

HB 365 **PAROLE MONITORING** (**Hughes, J., Boggs, K.**) To provide for indefinite prison terms for first or second degree felonies and specified third degree felonies, with presumptive release of offenders sentenced to such a term at the end of the minimum term; to generally allow the Department of Rehabilitation and Correction to reduce the minimum term for exceptional conduct or adjustment to incarceration; to allow the Department to rebut the release presumption and keep the offender in prison up to the maximum term if it makes specified findings; to require the Department to establish a reentry program for all offenders released from prison who it intends to have reside in a halfway house or similar facility but who are not accepted by any such facility; to require the Adult Parole Authority to establish maximum work-load and case-load standards for its parole and field officers and have enough

trained officers to comply with the standards; to require that GPS monitoring used for offenders released from prison under such monitoring specify restrictions, including inclusionary zones and necessary exclusionary zones; to require the Department to establish system requirements for GPS monitoring of such offenders by the Department or third-party contract administrators; to require the Department to operate a statewide database for law enforcement use containing specified information about such offenders; to require that third-party administrators for GPS monitoring under a new contract with the Department provide and use a law enforcement-accessible crime scene correlation program; and to name the act's provisions the Reagan Tokes Act. (**REPORTED-AMENDED**; 6th Hearing-All testimony-Possible amendments & vote)

The committee accepted an amendment offered by Rep. Jeff Rezabek (R-Clayton) requiring the Sentencing Commission to create an ad hoc committee to study forms of supervised release.

In opponent testimony, Public Defender Tim Young warned that the measure will cost the state as much as \$191 million annually.

"Of this, \$143.5 million annually reflects the increased cost of incarceration, a 10.5% increase to the total prison population," Mr. Young said.

He pegged between \$31.6-\$44.7 million annually as coming from provisions to bring parole officer caseloads in line with the American Probation and Parole Association's published standards - a 33-44% increase in the number of field officers.

"Finally, the bill would cost another \$1.3-\$3.1 million annually to implement the GPS portions of the bill; roughly a 270-650% increase in the DRC budget for GPS monitoring," Mr. Young said.

Rep. Bill Seitz (R-Cincinnati) questioned how the measure differs with a companion version in the Senate that deals only with the sentencing aspect. Mr. Young said the differences are significant.

In written interested party testimony Michael Randle, president of the Ohio Community Corrections Association, also raised red flags about the impact on the prison system.

"The proposed changes in the substitute version of HB365 will require more prisons and beds that will add substantial capital and annual operating costs which need to be taken into consideration," he wrote.

HB 394

MANDATORY BINDOVERS (**Rezabek, J.**) To eliminate mandatory and reverse bindovers, and modify the procedures for discretionary bindovers, of an alleged juvenile offender from a juvenile court to a criminal court; to revise the procedures for determining the delinquent child confinement credit; to revise certain delinquent child financial sanction dispositions and procedures and establish a separate restitution disposition; and to provide special parole eligibility dates for persons with an indefinite or life sentence imposed for an offense other than aggravated murder or another crime involving the purposeful killing of multiple persons committed when the person was under

age 18 and special Parole Board procedures in those cases. (**REPORTED (See separate story)**; 4th Hearing-All testimony-Possible vote)

HB 423

MASKED INTIMIDATION (Lang, G., Seitz, B.) To create the crime of masked intimidation, a misdemeanor of the first degree. (**CONTINUED (No testimony)**; 2nd Hearing-Proponent)

HB 461

HUMAN TRAFFICKING (Fedor, T., Galonski, T.) To require a juvenile court to hold a delinquency complaint in abeyance if the court has reason to believe that the act charged might be prostitution related or that the child might be a victim of human trafficking and to provide that the same elements for the offense of trafficking in persons that apply to a victim under the age of sixteen also apply to a victim who is age sixteen or seventeen. (**CONTINUED (See separate story)**; 2nd Hearing-Proponent)

HB 56

HUMAN TRAFFICKING (Dever, J., Gavarone, T.) To permit a person who is found not guilty or is the defendant in a dismissed case to apply for an expungement of the person's records in the case if the complaint, indictment, or finding of not guilty resulted from the applicant having been a victim of human trafficking, to permit a person convicted of certain prostitution-related offenses to apply for the expungement of any record of conviction of an offense, with certain exceptions, if the person's participation in the offense was a result of having been a victim of human trafficking, and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. (**SCHEDULED BUT NOT HEARD**; 4th Hearing-All testimony-Possible substitute & vote)

The bill was not heard after companion legislation (**SB 4**) cleared the committee, according to Chairman **Rep. Nathan Manning** (R-N. Ridgeville).

HB 568

MOVING VIOLATIONS (Butler, J.) To authorize a law enforcement officer to arrest a driver of a motor vehicle if the officer has probable cause to believe that the driver committed a moving violation and that the moving violation was a contributing factor in a motor vehicle accident that caused serious physical harm to or the death of another person, to authorize the officer to request a warrant to conduct a chemical test to determine whether the driver was under the influence of drugs or alcohol if there is probable cause to do so, to authorize the officer to order the administration of a chemical test under specified circumstances, to require the mandatory bindover (for trial as an adult rather than a juvenile) of a 16- or 17- year-old who is alleged to have committed aggravated vehicular homicide, and to designate this act as "Sophie's Law." (**CONTINUED**; 2nd Hearing-Proponent)

Janet Carpenter, whose daughter Sophie Marie Kerrigan is the namesake for the bill, urged passage of the measure so that something good can come of her daughter's death.

In her daughter's case, Ms. Carpenter said she was told there was no probable cause to charge the driver with a crime.

"Upon their arrival at the scene, they said they saw marijuana paraphernalia by the driver's feet and he admitted to smoking pot earlier that day," she said in written proponent

testimony. "There were three broken, bloodied girls dead in the backseat. No probable cause? Ironically, because of no ramification to the individual who killed my child and two others that night, he has gone on to be in the news on more than one occasion for driving without a license, driving intoxicated, public intoxication, and on and on."

HB 92

PUBLIC INDECENCY (Schaffer, T.) To require an offender who knowingly commits the offense of public indecency under certain circumstances involving exposure of private parts likely to be viewed by minors and for the purpose of sexual arousal or gratification to register as a Tier I sex offender/child-victim offender. (REPORTED; 5th Hearing-All testimony-Possible vote)

Gary Daniels, chief lobbyist at the ACLU of Ohio, in opponent testimony called the sex offender registry and residency requirements "counterproductive."

"Sex offender registries and residency restrictions have now been in existence long enough for numerous studies to be conducted on their usefulness," he said. "What the research demonstrates is they are ineffective at best, and harmful at worst."

Mr. Daniels said the data shows they have not been effective in keeping people safe or reducing recidivism.

"As is the case with drug laws, Ohio needs to abandon that which does not work and focus on what does," he said.

Niki Clum, legislative liaison for the Public Defender's Office, in opponent testimony raised concern about language that criminalizes "conduct that to an ordinary observer appears to be sexual conduct."

"We live in a society where simulated sex acts, or conduct that appears to be sexual conduct, are everywhere," she said. "They are in advertisements, television shows, theatre performances, and are major parts of some dance culture. In each case, this behavior could appear to be sexual conduct to an ordinary observer. It is not hard to think of recent incidents when an individual's performance at a televised music event caused public outrage because of the sexual content of the performance."

SB 4

HUMAN TRAFFICKING (Kunze, S., Oelslager, S.) To allow a person who is found not guilty of an offense or who is the defendant named in a dismissed criminal charge to apply for a court order to expunge the person's official records in the case if the charge or not guilty finding was the result of the applicant having been a human trafficking victim, to allow a person convicted of certain prostitution-related offenses to apply for the expungement of the conviction record of any offense, other than a specified disqualifying offense, the person's participation in which was a result of having been a human trafficking victim, and to allow intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. (REPORTED (See separate story); 5th Hearing-All testimony-Possible amendments, substitute & vote)

SB 66

CRIMINAL LAWS (Eklund, J., Tavares, C.) To modify criminal sentencing and corrections law by including rehabilitation as a purpose of felony

sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility criteria and procedures for granting intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation. (REPORTED-AMENDED; 4th Hearing-All testimony-Possible amendments & vote)

Before hearing testimony, several amendments offered by Rep. Rezabek were accepted. Among the changes, the amendments alter the eligibility for sealing felony records, with two requiring a wait of four years and five-year wait for three or more.

Delaware County Prosecutor Carol O'Brien, testifying on behalf of the Ohio Prosecuting Attorneys Association, raised concern about two provisions in the bill, including one to expand intervention in lieu of conviction.

"To be sure, prosecutors have no issue with intervention in lieu of conviction in appropriate cases," she said. "It is a valuable option for offenders with minimal criminal records.

Prosecutors believe in the value of treatment and believe in second chances. There should be a point, however, at which someone can no longer obtain the benefit of having charges dismissed."

She also took issue with a portion of the bill to expand eligibility for record sealing

"While the current focus of the General Assembly is on alleviating collateral consequences for low-level felony non-violent offenders and to treat them as pseudo-misdemeanants, we believe that calling something a felony means that the conduct has certain consequences," she said.

Ms. Clum said the measure "makes a number of relatively small changes to our criminal justice code that will have a big impact on improving the system and allowing individuals with low level felony offenses the chance to become productive members of society."

"A felony criminal record can severely hinder an individual's ability to obtain employment, housing, financial aid, professional licenses, and social services," she said in proponent testimony. "OPD supports SB66 because it makes important changes that allow individuals the opportunity to move past the criminal activity and become productive members of society."

Subscribers Note: Full testimony is available on the [committee's website](#) under May 22.

Federalism & Interstate Relations

HB 228

GUN LAWS (Johnson, T., LaTourette, S.) To assign to the prosecution the burden of disproving a self-defense or related claim, to expand the locations at which a person has no duty to retreat before using force under both civil and criminal law, and to modify the Concealed Handgun Licensing Law regarding a licensee's duty to keep the licensee's hands in plain sight, the penalties for illegally carrying a concealed firearm or improperly handling

firearms in a motor vehicle, and the posting of warning signs regarding the possession of weapons on specified premises. (**REPORTED (See separate story)**; 7th Hearing-Possible vote)

HB 580

GRANT APPLICATIONS (Thompson, A.) To establish procedures that executive agencies must follow when applying for grants, to require the Governor to approve any major grant application, and to permit the Governor to disapprove any minor grant application. (**CONTINUED**; 2nd Hearing-Sponsor)

Sponsoring **Rep. Andy Thompson** (R-Marietta) said the bill is designed to "deconstruct the administrative state."

"Federal money coming into the state needs to be vetted because often there are strings attached to the money," he said. "We may have to alter the Ohio Revised Code in order to come into federal compliance, or the agency may have to write new rules and adopt new practices absent any input from elected officials. These rules, with which they must comply, are not written by Congress, but by bureaucrats in Washington."

HB 622

CONCEALED WEAPONS (Perales, R.) To generally authorize a judge or magistrate who is a concealed handgun licensee to possess a concealed handgun in a courthouse or attached parking area, to expand the exemption from the offenses regarding illegal conveyance, possession, or control of a deadly weapon or dangerous ordnance into or in a courthouse for a judge or magistrate who is a licensee with respect to a concealed handgun, and to require a specified secure storage of the concealed handgun while in the courthouse as a condition for application of the authorization and exemption. (**CONTINUED**; 1st Hearing-Sponsor)

Sponsoring **Rep. Rick Perales** (R-Beavercreek) said the measure will serve as a deterrent for attacks like those on a judge in Steubenville last year.

"In response to this attack, Ohio's judges and magistrates have voiced their concerns over their personal safety. Local jurisdictions have taken matters into their own hands by creating local rules to permit carrying concealed weapons to and from their courts," he said. "These actions have created a patchwork of rules unique for every court, and with 323 units across the state, we have the potential for 323 different rules concerning concealed carry of firearms."

SB 208

WEAPON POSSESSION (Terhar, L.) To allow a law enforcement officer or investigator, whether on or off duty, to carry a weapon on certain premises open to the public. (**CONTINUED**; 1st Hearing-Sponsor)

Sen. Lou Terhar (R-Cincinnati) said the measure can help to protect soft targets.

"The purpose of this bill is to enhance the safety of public places and provide for a faster response in the case of an active shooter situation," he said. "We have seen an unfortunate increase in gun activity in venues where the perpetrator is sure no one else is armed. This bill would provide for well-trained individuals to respond to these types of incidents and force a perpetrator to factor in the possibility of armed resistance in what was once considered a 'soft target.'"

HCR 26 **JERUSALEM (Faber, K., Keller, C.)** To recognize Jerusalem as the capital of the State of Israel. (REPORTED; 2nd Hearing-All testimony-Possible vote)

Howie Beigelman, executive director Ohio Jewish Communities, said the measure aligns Ohio with longstanding American policy, dating back to President Harry Truman recognizing the state in 1948 immediately after its creation.

"Last week, the United States embassy was officially relocated from Tel Aviv to Jerusalem," he said. "This was long overdue, both from a legal standpoint, as well as a diplomatic one. Since that move, other nations have moved their embassies, and yet more have pledged to do so."

Michael Goldstein of Proclaiming Justice to the Nations, said the measure helps to rectify an injustice in not allowing Israel to recognize its own capital.

"This act is not just an honorific," he said. "It is vitally important, not merely because Israel is a fellow democracy and the only free nation in the Middle East where people of all religions may worship in safety, but because we share Israel's values."

Chris Long, president of the Ohio Christian Alliance, and Benjamin Mutti also provided proponent testimony.

Subscribers Note: Full testimony is available on the committee's website under May 22. **Economic Development, Commerce & Labor**

HB 504 **INTERIOR DESIGNERS (Pelanda, D.)** Regarding interior designers. (REPORTED-SUBSTITUTE; 3rd Hearing-All testimony-Possible substitute & vote)

The panel reported the bill over the opposition of Rep. Bill Dean (R-Xenia), who was the only member to vote against the proposal. The vote came after the committee adopted a substitute version that sponsor Rep. Dorothy Pelanda (R-Marysville) said incorporates the suggestions from a number of organizations.

She said the intent of the bill remains to create a permissive certification process for educated and qualified commercial interior design professionals. Current law, she said, blocks many in the profession from practicing to their fullest ability, putting Ohio businesses at a disadvantage.

Rep. Pelanda said she did not include in the substitute a request to define a kitchen and bath designer, saying that issue deserves more extensive debate and consideration. The new version, she said, clarifies that an interior designer doesn't need to obtain a certificate and specifies that the bill doesn't impact residential practitioners.

She said the bill addresses a number of concerns from architect interests, although several witnesses from the industry later testified in opposition. The sponsor said the new version doesn't prohibit professional standards afforded to architects.

Karen Planet, treasurer American Institute of Architects of Ohio, was one of many opponents to testify. She said interior designers play an important role, but raised concerns about creating a new regulatory system that would deal with up to 300 people.

She said interior design largely doesn't impact health, safety or welfare enough to require licensing, and argued that backers haven't shown any direct harm that is caused by unregulated interior design practices. If a regulatory board is formed, she said it should focus on public protection, rather than economic protection.

Another key issue, she said, is that some students pursuing interior design degrees have been led to believe that their studies will lead to a career path in architecture.

Tim Hawk, also representing the AIA of Ohio, appeared as an opponent. He said it is nearly impossible to have distinctions between the interior and exterior of a building, saying that this firm employs interior designers who are important to the success of a project.

Regardless, he said the bill sets the stage for interior designers to largely engage in architecture without a license.

Opposition was also relayed by architects Laurie Gunzelman of Gunzelman Architecture and Interiors and Robert Loversidge of Schooley Caldwell.

Louise Budde of Urban Kitchen & Bath also spoke in opposition. She said kitchen and bath remodelers have been hurt in other states that have passed similar legislation, requesting language that clarifies that those working in the industry won't have to seek the certificate.

Greg Lawson of the Buckeye Institute testified as an interested party, saying that Ohioans in many cases shouldn't have to seek permission from the state to earn a living.

"Yet, all too often, Ohio's occupational licensing requirements serve as 'permission slip' policies that make it harder-and sometimes impossible-for Ohioans and would-be Ohioans to pursue their careers and put food on the table for their families," he said. "Such policies must end."

While he said the bill does not technically require licensure for designers, the permissive certification would expand the scope of practice for those who are certified.

"Under the proposed bill, certified interior designers would be permitted to submit plans directly to building code officials rather than having to work under the direction or supervision of an architect or engineer, as is presently the case," he said. "These steps are better than prior proposals that would have required a license to be an interior designer. However, we continue to discourage the direct regulation of any specific profession unless there is a verifiable public safety risk."

Lisa Cini, president of Mosaic Design Studio, appeared in support. She said her design work that focuses on senior living, long term care and health care institutions is important for how buildings feel after they are constructed.

She said the bill accommodates many of the concerns that architects and others had raised.

"Most importantly, the permissive certification of interior designers would give potential clients another choice for interior projects," she said. "Since this permissive certification allows certified interior designers to submit their signature for permits, it allows interior designers to the full capacity of our training for projects within our specific scope. It creates more competition for interior projects and opens up opportunities for small interior design business, overwhelmingly owned by women. Furthermore, it establishes a credential that our clients know shows a minimum standard of competency in our profession. It gives the students from the six outstanding, accredited public interior design programs a reason to stay in Ohio."

Bryan Williams of the Associated Builders and Contractors of Ohio testified in support. He said the bill, in a way, deregulates work in the industry by creating a new form of regulation.

Under the change, he said certified interior designers can submit plans without having to work through a licensed architect. He said much of the construction work in Ohio is done on a design-build basis, with work on the building and design moving along hand in hand. Responding to committee questions, Mr. Williams said some of the concerns related to safety of interior design changes are a bit overstated, and that arguments like that are common in turf wars. Overall, he said construction projects require collaboration by architects and designers.

HB 542 **EARNING STATEMENTS (Kelly, B.)** To require an employer to provide earnings and deductions statements to each of the employer's employees. (CONTINUED; 1st Hearing-Sponsor)

Rep Brigid Kelly (D-Cincinnati) told the panel her proposal would require employers to provide employees access to pay statements. The issue, she said, was driven by a constituent who found out through her W-2 form that her pay had been reduced after the buyout of the company for which she worked.

Rep. Kelly said Ohio is one of nine states that doesn't require the release of that information. The bill makes sure Ohio workers have important information that employers are already required to maintain, she said. It also helps prevent wage theft.

HB 551 **MINOR WORKERS (Perales, R., Romanchuk, M.)** Regarding hazardous occupations prohibited for minors and providing training to certain minors employed in a construction or manufacturing occupation. (CONTINUED; 1st Hearing-Sponsor)

Rep. Rick Perales (R-Beavercreek) said the bill opens the door for 16- and 17-year-olds to get experience in the construction and manufacturing fields - two areas that they might not be exposed to otherwise.

He said employers would first make sure that the minors are properly trained on equipment they might be using.

Rep. Mark Romanchuk (R-Mansfield) said there is a significant need for workers in the manufacturing field, and added that the bill could help direct young workers toward that industry. The bill, he added, helps with career exploration.

HB 566 **CIGARETTE PRICES (Scherer, G., Cera, J.)** Regarding cigarette minimum pricing. (SCHEDULED BUT NOT HEARD; 1st Hearing-Possible vote)

HB 583 **OCCUPATIONAL LICENSING (Henne, M.)** To limit the occupational license and registration requirements and fees that a political subdivision may impose on state-regulated occupations, to establish a waiver exempting certain persons from paying occupational license or registration fees, and to revise the licensing restrictions applicable to individuals convicted of criminal offenses. (CONTINUED; 1st Hearing-Sponsor)

Rep. Michael Henne (R-Clayton) said the proposal would make the state the key licensing entity for several professions, limiting the ability of local officials to impose a local licensing structure.

"With tens of thousands of licensing restrictions in place in Ohio, we are preventing rather than providing opportunities for people through local licensing fees. For example, in Canton to become a general contractor, plumber, or electrician you need to pay an additional \$225," he said. "To be a plumber in Dayton costs an additional \$250 to work, and that expense rises to \$350 for already state-licensed contractors in Columbus. Each of these individuals already have a state license but for some reason these cities pile on an additional license and barrier. These fees are designed to protect special interests, not safety."

The sponsor said local governments shouldn't create new licenses that impact people who are trying to get jobs.

Rep. Thomas West (D-Canton) said local licensing allows issues to be addressed locally, but Mr. Henne said trades already have licensing boards in place. He further said that local permit fees cover the costs that local governments face in conducting inspections of work that is done.

"It's about eliminating these barriers for people to work," Rep. Henne said. "You shouldn't have to pay everybody because you want to be a plumber."

HB 600 **GLOBAL MARKETS** (**Barnes, J.**) To establish the "Access to Global Market Opportunities for Ohio Manufactured Products Program" to be composed of the "Ohio Global Leadership Initiative" and the "Global Initiative on International Relations" to create new, untapped global markets for Ohio businesses and thereby promote job creation, and to make an appropriation.
(CONTINUED; 1st Hearing-Sponsor)

Rep. John Barnes (D-Cleveland) said his proposal would help connect small local businesses with global markets by using ambassadors for the state. The measure, he said, would look to help businesses connect with international contacts who can help spur relationships.

He said the government wouldn't get involved in private sales of a product, but would only help facilitate those sales.

Rep. Michael Sheehy (D-Oregon) questioned whether the process would duplicate some of the services that JobsOhio provides. Mr. Barnes said he's supportive of JobsOhio, but added that the entity doesn't have enough funding and staff to support the international sales efforts of smaller companies.

HB 605 **OVERTIME PAYMENTS** (**Kelly, B., Smith, K.**) To raise the salary threshold above which certain employees are exempt from the overtime law.
(CONTINUED; 1st Hearing-Sponsor)

Rep. Kelly said the proposal would assure overtime pay for 350,000 Ohioans who don't currently receive overtime pay by raising an existing salary threshold that hasn't been adjusted since the presidency of George W. Bush.

As a result, she said Ohio workers lose out on \$123,000 in lost wages on a daily basis.

Rep. Kent Smith (D-Euclid) said the bill makes sure that Ohioans who work overtime receive pay for their efforts, and added it would help spur the economic fortunes of the middle class.

HB 625 **AUXILIARY CONTAINERS (Lang, G., Lipps, S.)** To authorize a person to use an auxiliary container for any purpose, to prohibit a municipal corporation, charter county, or limited home rule township from imposing a tax or fee on auxiliary containers, and to clarify that the existing anti-littering law applies to auxiliary containers. **(CONTINUED; 1st Hearing-Sponsor)**

Rep. George Lang (R-West Chester) said the bill would create clarity and uniformity by allowing a person to use an auxiliary container - in this case most often a plastic bag - for any purpose and preventing local governments from taxing or limiting use of the bags. The measure, he said, makes it clear that auxiliary containers are subject to anti-littering laws. While no Ohio local governments have imposed taxes on the bags, he said that could happen at any time.

The sponsor added that studies show 77.7% of bags are reused. At one time during the hearing, he placed a plastic bag on his head to demonstrate his own occasional use of bags to keep his hearing aid dry.

Rep. Scott Lipps (R-Franklin) said many businesses that use auxiliary containers - particularly retailers - would be negatively impacted by potential local government limitations. Those regulations add complexity and cost to doing business in Ohio, he said. The issue would be especially problematic for companies that operate close to Ohio's borders with other states.

Education & Career Readiness

HB 108 **FINANCIAL LITERACY (Hagan, C., McColley, R.)** To require one-half unit of financial literacy in the high school curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." **(REPORTED (No testimony); 6th Hearing-All testimony-Possible vote)**

HB 200 **SCHOOL CHOICE (Koehler, K.)** To eliminate the Educational Choice Scholarship Pilot Program and Pilot Project Scholarship Program and to create the Opportunity Scholarship Program. **(CONTINUED; 9th Hearing-All testimony-Possible vote)**

Alyson Miles, director of government affairs for the American Federation for Children, urged passage of the measure.

"The move to an income-based program is the step in the right direction for Ohio," she said. "Our current programs, while great stepping stones for school choice in this state, leave many students in low- and middle-income families behind."

Rep. Dan Ramos (D-Lorain) asked why the measure makes scholarship funds available to students whose family income is up to 400% of federal poverty guidelines.

"That's not what I would consider low income," he said, adding that requirements for food and medical assistance often are stricter.

Ms. Miles said she thinks the importance of education to success later in life supports the relaxed guidelines.

Rep. Kyle Koehler (R-Springfield), the measure's primary sponsor, said he thinks the guidelines are appropriate because "in the state of Ohio we've made a commitment that we'll educate all kids K-12."

Kim Preston, Midwest regional legislative director for Excellence in Education in Action, said her organization also supports the measure.

"Family income should not be the barrier standing in the way of any student receiving a great education tailored to his or her needs," she said. "At the end of the day, parents know their children, and they ought to be empowered to select the best educational options for them."

Multiple members of school boards representing public districts submitted written testimony opposing the measure.

Richard Smith, member of the Marysville school board, said that the measure eventually could lead to more frequent levy requests to support public school districts.

"This money has to come from some place," he said. "I can't believe that cuts will be made to other state funding programs and the current funding level maintained for schools. I believe that passage of Substitute HB200 will further a shift from state tax dollars to greater reliance on local property tax dollars to provide education to Ohio's children."

Christine Varwig, a member of the Toledo school board, said the measure would "continue to siphon away precious state dollars" from public schools.

Patrick Schymanski, president of the Elida school board, said the legislature should move to eliminate the cap on funding to growing districts before it passes such a measure.

HB 428 **STUDENT EXPRESSION (Ginter, T., LaTourette, S.)** Regarding student religious expression and to entitle the act the "Ohio Student Religious Liberties Act of 2018." (REPORTED; 4th Hearing-All testimony-Possible vote)

Rep. Kent Smith (D-Euclid) introduced two amendments, both of which were rejected in party-line votes.

He said the amendments would have included fasting and wearing head scarves as protected forms of religious expression.

Chairman **Rep. Andy Brenner** (R-Powell) said he encouraged the committee to reject the amendments because the legislation already was "all encompassing."

The committee ultimately reported the measure in a party-line vote.

HB 502 **YOUTH SUICIDE (Anielski, M.)** With regard to educator inservice training on youth suicide awareness and prevention in public schools. (REPORTED-SUBSTITUTE; 3rd Hearing-All testimony-Possible substitute & vote)

The committee unanimously voted to report the measure after **Rep. Marilyn Slaby** (R-Akron) offered a substitute version that was accepted with no objections.

Chairman Brenner said the updated version requires public school employees undergo suicide-awareness training once every two years, instead of annually as required by the original bill.

HB 540 **TEACHER EVALUATIONS** (Gavarone, T., Manning, N.) With regard to teacher evaluations. (**REPORTED** (No testimony); 4th Hearing-All testimony-Possible vote)

HB 549 **SCHOOL YEAR** (Arndt, S.) To generally require public and chartered nonpublic schools to open for instruction after Labor Day. (**CONTINUED**; 2nd Hearing-Proponent)

Bryan Ralston, president of the Lake Erie Marine Trades Association, said in proponent testimony there is precedent that suggests the legislation would be a boon for businesses without negatively affecting students.

"Michigan has required public schools to start after Labor Day since the 2006-07 school year. This initiative in Michigan has spurred economic growth in tourism, and has not decreased the value of a classroom education to our knowledge," he said.

Rep. Slaby asked why local school districts should not determine what's best for its students.

Mr. Ralston said Michigan's example simply shows the change can be beneficial for both businesses and students.

Rep. John Patterson (D-Jefferson) said he thinks many districts have decided to start earlier in the year because of concerns about scheduling for state-required tests. He asked Mr. Ralston if his group would support efforts to relax state testing requirements in addition to this measure.

Mr. Ralston said he would have to check with members of his group before offering an opinion.

Rep. Koehler asked what other neighboring states start school after Labor Day and how Ohio's proposed shift would affect tourism. Mr. Ralston said he would have to conduct additional research on the topic.

Melinda Huntley with the Ohio Travel Association said early starts to school years can cause seasonal businesses to reduce their hours or shorten their seasons in reaction to a lack of available employees. She said students also lose out on a chance to hone skills necessary to later succeed in business.

"Summer work experience has been proven crucial for long-term success in (many) jobs," she said.

Rep. Ramos asked if the legislation would cause problems for teachers seeking to continue their educations at universities, which often mirror local school district's schedules.

Ms. Huntley said districts could add slightly to the length of their days and not have to push much later in the year if the change goes into effect.

"It may not interfere with the end of the school year as much as we think it does," she said.

Rep. Ramos said he also has concerns lengthening the school day could have negative consequences to student learning.

Other lawmakers questioned the necessity of the legislation.

Rep. Catherine Ingram (D-Cincinnati) said she believes conversations about school start times already are occurring at the local level, while **Rep. Steve Hambley** (R-Brunswick) said he has not heard a "public outcry" for change.

Howard Call, executive director of the Ohio Fair Managers Association, in written testimony said summer jobs often serve as alternative educational experiences for youngsters.

"Traditional school classrooms should not have a monopoly on student learning," he said. "OFMA believes there is a lot of learning and growth is happening for these young people that are participating in their county fairs through summer employment and 4-H activities."

Chip Hanawalt, president of the Ohio Campground Owners Association, shared a similar sentiment in written testimony, adding campgrounds and other outdoor spaces can serve as settings for "hands-on learning activities."

David Drake, president of the Greater Ohio Showmen's Association, in written testimony said the amusement industry group also supports the legislation.

"Over the years we have seen schools starting earlier and earlier, forcing our seasonal employments to be cut short," he said. "We in turn lose valuable, qualified employees and scramble to find help to finish our county fair season."

HB 591 **SCHOOL REPORT CARDS (Duffey, M.)** To revise the state report card rating system for school districts and public schools. (**CONTINUED (See separate story)**; 2nd Hearing-All testimony)

HB 628 **EDUCATOR LICENSES (Stein, D., Retherford, W.)** With regard to qualifications for obtaining a resident educator license. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. Dick Stein (R-Norwalk) said in sponsor testimony the measure could aid rural districts that have a difficult time attracting educators as the number of college students pursuing education degrees falls.

"Our bill does not create a new pathway, but rather recognizes successful private, non-profit teacher development programs to fulfill the BS in education requirement for licensure," he said.

Rep. Patterson said he recognizes a problem exists and asked Rep. Stein and the bill's primary co-sponsor, **Rep. Wes Retherford** (R-Hamilton) why they think fewer people are pursuing education degrees.

Rep. Stein said he thinks some students may see a degree in education as a narrow pathway, unlike areas of study that may offer broader opportunities, such as business.

Rep. Ingram asked if the problem is that institutions of higher learning are often located too far away from rural communities for potential educators to attend.

Rep. Retherford said there are areas of the state where it's a long drive to the nearest college or university.

Rep. Ingram said solutions already exist to some of the problems cited by the sponsors. She said industry professionals already are allowed to teach in career and technical schools, while potential teachers who live far away from colleges can take online courses.

SB 216 **SCHOOL REGULATIONS (Huffman, M.)** To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs. (**CONTINUED**; 2nd Hearing-All testimony-Possible amendments & vote)

Chris Pfister, superintendent of the Waynesfield-Goshen school district, said his previous experience working with private-sector employees as a career center administrator helped him conclude the state's k-12 education system is over-regulated and too complex. At the

request of Sen. Huffman, the measure's sponsor, Mr. Pfister formed a steering committee of eight superintendents to study possible ways to improve the state's system through deregulation.

"We are not afraid of accountability and are held accountable by our communities and our local elected board of education officials," he said. "Much of the legislation we are trying to deregulate is in reference to those laws that were initiated as a one-size-fits-all action."

Rep. Ramos said one provision in the bill creates costs related to textbooks for certain families who have students who participate in the College Credit Plus. He asked Mr. Pfister how that provision does anything other than hurt students.

Mr. Pfister said a number of superintendents he has talked to have said students should have some financial responsibility for the program in order to control some of the costs that are passed on to local districts.

Rep. Patterson asked if provisions that ease restrictions on what grades and subject areas educators can teach could be used to punish teachers or hasten their retirements.

Mr. Pfister said loosening the rules would give districts, especially rural districts that can have trouble attracting talent, the flexibility to put educators in needed roles.

"It's about getting the best person in front of kids. That's all that it's about," he said.

Robert Sommers, co-founder of CF Educational Solutions, said he previously advocated for a number of the reforms targeted by the deregulation measure as director of the Governor's Office of 21st Century Education. He said the regulations have not produced the expected results.

"The people who put these laws in place were also well intentioned, guided by a fervent desire to improve the future of Ohio children, and to assure Ohio was competitive in the global economy," he said. "After nearly a decade, however, the results show we must move on from these reforms because they haven't delivered on our vision."

Tim Katz, the executive director of the Ohio Alliance for Arts Education, in written testimony said his group approves of the measure's proposed changes for the Ohio Teacher Evaluation System and professional development requirements for teachers of gifted students, but had worries about other parts of the legislation.

"We believe that some of the changes in the bill do not go far enough to address our concerns about teacher preparation and licensure," he said. "We are concerned about the potential negative impact that this bill could have on education programs and students, who deserve well-trained teachers in all their classes so that they can achieve at the highest levels."

Mr. Katz said his group also is requesting an amendment that specifies all arts courses be taught by a teacher who holds a multiage license in a specific artistic discipline.

Rep. Brenner said an amendment to address Mr. Katz concerns should be discussed at the committee's next meeting, which is scheduled for 9:30 a.m. Wednesday.

Chad Aldis, vice president for Ohio Policy and Advocacy at the Thomas B. Fordham Institute, said his group also backed changes to OTES and teacher licensing requirements in the legislation. He said the organization does not support a provision that would set 30 as the minimum number of students in a group, or "n-size," for the data on that group to be included on a district report card.

Mr. Aldis said increasing the "n-size," which currently is set at 10 students, would let smaller school districts avoid the state accountability system.

"Overall, there's a lot like to like about SB 216. But the provision to increase the state's 'n-size' must be removed," he said.

Rep. Brenner asked Mr. Aldis if "n-size" of 20 would be better. He said he's heard concerns from school administrators that if the number remains at 10, individual students could be identified through the data.

Mr. Aldis said privacy is an important concern, but added federal privacy law allows 10 to be used as "n-size."

Rep. Ramos asked if changing increasing the threshold for reporting would make it difficult to see if many English language learners are progressing.

Mr. Aldis said it's possible those students could be overlooked if the change moves forward.

Rep. Patterson said he sees both sides to the dilemma and wonders if there's a compromise.

Subscribers Note: Full testimony is available on the [committee's website](#) under May 22.

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Click the  after a bill number to create a saved search and email alert for that bill.

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From: report@hannah.com
Sent: Tuesday, May 22, 2018 9:33 PM
To: DL_Hannah
Subject: Hannah News Stories for Tuesday, May 22, 2018

Tuesday, May 22, 2018

IN TODAY'S HANNAH REPORT:

Please click here to read the entire Hannah Report.

Today's Stories

- [Business Groups Call for 'Prompt Selection' of Speaker](#)
- [Advocates Push for House Vote on Unsafe Tire Bill](#)
- [Conservatives Backing Shorter Wind Setbacks Deliver Letters to House Members](#)
- [Committee Moves 'Reagan Tokes' Bill; OPD Slams 'Extreme' Measure](#)
- [House Committee Debates K-12 Deregulation, Report Card Overhaul](#)
- [Vetoed Budget Provision on Municipal Water Gets First Hearing as Standalone](#)
- [Humane Society to Drop Ballot Efforts If Amended Puppy Mill Bill Passes](#)
- [Interior Designer Certification Bill Passes House Committee](#)
- [Capital-Area Insurance Conglomerate Pulls Down \\$8.7 Million in Tax Credits](#)
- [Wildlife Council Shelves Proposed Bobcat Trapping Rule](#)
- [UT, BGSU to Separate Nursing Programs](#)
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- [Judicial Actions: Magistrates; Opinion](#)
- [Executive Actions: Appointment](#)
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- Insurance and Financial Institutions
- Judiciary
- Local Government, Public Safety and Veterans Affairs
- Rules and Reference Committee

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From: Thomas, AJ
Sent: Wednesday, May 23, 2018 11:20 AM
To: House_All
Subject: ALERT- HAPPENING NOW: Deconstructing the Administrative State Luncheon

Come on up to the 31st Floor!

From: Thomas, AJ
Sent: Tuesday, May 15, 2018 9:34 AM
To: Thomas, AJ <AJ.Thomas@ohiohouse.gov>
Subject: RE: Deconstructing the Administrative State Luncheon

Make sure to respond by **this Friday 5/18** for a free lunch! See below:

From: Thomas, AJ
Sent: Friday, May 11, 2018 11:50 AM
To: Thomas, AJ <AJ.Thomas@ohiohouse.gov>
Subject: Deconstructing the Administrative State Luncheon

Hello! Had enough of bureaucracy? Tired of all the red tape? Concerned about rogue agencies seemingly operating impervious to oversight? I am, too!

A wise man once said, "There is no such thing as a free lunch," but he was wrong!

On Wednesday May 23rd there will be a panel discussion of HB580 featuring the American Principles Project's Erin Tuttle, Greg Lawson of The Buckeye Institute, and Micah Derry of Americans for Prosperity. It will be moderated by Representative Andy Thompson. There will also be a free lunch provided by the parties in question.

House Bill 580, adds oversight and transparency to Ohio executive agencies' applications for federal grants, in an effort to control the rise of the administrative state. The discussion will include how the bureaucracy of our federal and state governments has grown over time, and how this administrative growth has specifically hurt the State of Ohio through federal grants and mandates. We will discuss how HB580 will help address the problem we have with a rising administrative state, and institute oversight via the executive branch.

WHERE: 31st Fl. North Room

WHEN: Wednesday May 23rd from 11:00-12:15

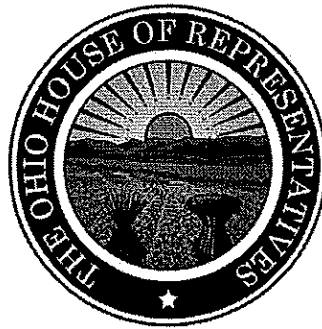
WHO: All Members and Staff are invited

Please RSVP to AJ Thomas (AJ.Thomas@ohiohouse.gov) by Friday May 18th so we may have a count for lunch.

We hope to see you there!

Andrew M. Thompson

Andy Thompson
State Representative
House District 95



THE BUCKEYE INSTITUTE



AMERICANS FOR PROSPERITY

From: media@projectveritas.com

Sent: Thursday, May 24, 2018 4:58 PM

To: Rep76

Subject: Seeking comment on shocking undercover video of Ohio teachers union officials

First Name : Marco

Last Name : Bruno

Address : 1214 W Boston Post Road

City : Mamaroneck

State : NY

Zip : 10543

Phone : 914.908.2300

Email : media@projectveritas.com

Subject :

Seeking comment on shocking undercover video of Ohio teachers union officials

Message :

Our organization, Project Veritas, has released undercover footage of teachers union officials in Ohio failing to automatically report the suspected physical or verbal abuse of students. The video was released on Tuesday on YouTube and currently has over 22,000 views. The video was also talked about on cleveland.com.

Video: <https://youtu.be/KkhE-5utEKI>

Article:

https://www.cleveland.com/metro/index.ssf/2018/05/teachers_unions_dont_always_report_shoving_students_or_using_racial_slurs_undercover_and_edited_videos_suggest.html

A press release is available here: <https://www.projectveritas.com/2018/05/22/ohio/>

I am reaching out to see what, if any, comment you have about this issue. A similar investigation we conducted in New Jersey led to bi-partisan calls for investigations into the New Jersey Education Association.

Marco Bruno

Media | Project Veritas

From: Durdle, Brian P.

Sent: Friday, May 25, 2018 9:22 AM

To: Durdle, Brian P.

Subject: FW: FirstEnergy Solutions News 05.24.18

Attachments: FirstEnergy Solutions News 05.24.18.docx

Attached is the most recent media compilation document. Additional articles are below.

FirstEnergy Solutions News 05.24.18

**1. Power price increases coming to guarantee electricity will be there when needed:
PJM**

By John Funk - The Plain Dealer/Cleveland.com, May 24, 2018

2. Capacity prices nearly double in largest U.S. power market

By Jeffrey Tomich - E&E News, May 24, 2018

3. NUKES OUT OF PJM EVEN AS CAPACITY PRICES DOUBLE

By KELSEY TAMBORRINO – PoliticoPro, May 24, 2018

4. U.S. Power Grid Payout Sends Surprise Boost to Coal, Nuclear

By Tim Loh – Bloomberg, May 23, 2018

5. PJM loses a quarter of its nuke capacity in latest power auction

By Gavin Bade – Utility Dive, May 23, 2018

6. Renew Ohio's green energy goals

Toledo Blade, May 23, 2018

-
- Reuters - [U.S. and partners form international alliance to push nuclear power](#)
 - Green Tech Media - [A Loss for Nuclear in Minnesota, and a Win in New Jersey](#)
 - Wyoming Tribune Eagle - [Energy summit looks at whether nuclear power could work in Wyoming](#)
 - Press Release - [FirstEnergy Solutions Comments on Results of PJM Capacity Auction](#)

###

U.S. and partners form international alliance to push nuclear power

May 24, 2018

Reuters

[Web Link](#)

The United States is leading an initiative with several other governments to promote nuclear power and encourage investment in new nuclear technologies.

The initiative, launched on Thursday by U.S. Deputy Secretary of Energy Dan Brouillette with international partners, aims to “highlight the value of nuclear energy as a clean reliable energy source”.

The partners are Japan, Canada, Russia, South Africa, the United Arab Emirates, Poland, Argentina and Romania.

The U.S. nuclear industry is battling competition particularly from natural gas, while many national governments want to reduce their dependency on the energy source after the nuclear accident at Japan’s Fukushima plant in 2011.

The group of nations aims to promote areas such as improved power system integration and the development of technologies like hybrid nuclear-renewable systems.

“Nuclear-renewable systems could link emission-free nuclear power plants with variable renewables like solar or wind farms and could allow nuclear power to backstop intermittent generation,” Brouillette said during the launch at the Clean Energy Ministerial (CEM) in Copenhagen.

CEM is a global forum of 24 countries and the European Union which together account for 75 percent of global greenhouse gas emissions.

Brouillette said the initiative would also focus on the development of small modular reactors (SMR), which use existing or new nuclear technology scaled down to a fraction of the size of larger plants and would be able to produce around a tenth of the electricity created by large-scale projects.

Critics say SMR economies of scale will be limited because each reactor will need its own control and safety systems. They also point to the danger of spreading radioactive material more widely, increasing radiation and security risks.

The administration of President Donald Trump also launched an alliance with Norway and Saudi Arabia to boost public and private partnerships on carbon capture, utilization and storage (CCUS).

Earlier this month, Japan released a draft of an updated basic energy policy, leaving its ideal mix of power sources for 2030 in line with targets set three years ago, despite criticism that it placed too much emphasis on unpopular nuclear power.

To view a graphic on Nuclear power plants in the world , click: tmsnrt.rs/2sKIV1X.

###

A Loss for Nuclear in Minnesota, and a Win in New Jersey

May 24, 2018

By Emma Foehringer Merchant

Green Tech Media

[Web Link](#)

Two state-level policy actions this week failed to clarify the murky future of nuclear in the U.S.

The Minnesota House of Representatives failed to vote on a bill allowing Xcel Energy to recover the costs of maintaining nuclear plants before the utility spends money.

In New Jersey, Governor Phil Murphy signed off on a law that gives nuclear plants in that state a lifeline; they will now be considered under the Zero Emissions Certificate (ZEC) program.

In Minnesota, a state official cautioned that the bill would give Xcel a “blank check.” New Jersey Gov. Murphy, a democrat, called the law there “a down payment” on the clean energy agenda he’s promised.

Meanwhile, the debate about the future of nuclear continues at the highest levels of government. While the Federal Energy Regulatory Commission sorts through comments on its resilience docket, Energy Secretary Rick Perry is reportedly investigating multiple options to keep struggling nuclear and coal plants open.

Public Service Electric & Gas in New Jersey cautioned state lawmakers that plants were at risk of closing without support. Xcel said the Minnesota bill would offer the utility more certainty in order to keep reactors running.

The Minnesota law would have supported three Xcel reactors with licenses operating through 2030, 2033, and 2034, with projected costs ringing in at about \$1.4 billion.

Critics, including Democratic Governor Mark Dayton, argued the law would undercut the public utility commission’s authority. The Senate passed its bill last week, but time ran out in the House.

Xcel said the reactors are key to its plans to reach 85 percent carbon-free electricity by 2030. The utility recently reported it had reached a 40 percent carbon-free portfolio.

Detractors questioned New Jersey’s law for similar reasons, calling it a handout to the utility. Jeff Tittel, director at the Sierra Club’s New Jersey chapter, said it was “the biggest corporate subsidy in state history.” It will amount to subsidies of about \$300 million per year.

In 2016, New Jersey got about 40 percent of its electricity from nuclear power, according to the Energy Information Administration. Minnesota got about 23 percent of its electricity from nuclear in 2017.

A similar subsidy program in New York that allows nuclear to take advantage of ZEC credits is now winding its way through the court of appeals. A nuclear ZEC program in Illinois is also facing court challenge.

Exelon Corporation, which is also fighting for the Illinois and New York programs, applauded the new law in New Jersey. Xcel promised it would push forward with its low-carbon vision regardless of the loss in its home state.

"We're disappointed the bill did not move forward due to time constraints at the Legislature, but we will continue to pursue our clean energy vision," the utility said in a statement.

###

Energy summit looks at whether nuclear power could work in Wyoming

May 24, 2018

By Joel Funk

Wyoming Tribune Eagle

[Web Link](#)

With big changes taking place in the world's energy markets, nuclear power could be a possibility in Wyoming, an industry expert said Wednesday.

Wyoming is an energy state, with around 70 percent of its revenue derived from extractive industries such as oil, gas and coal. But as some of the larger markets for Wyoming's energy commodities shift toward renewables, the future of the state's breadbasket industries is uncertain.

Subscription is required to read the remainder of the article.

###

FirstEnergy Solutions Comments on Results of PJM Capacity Auction

May 24, 2018

FirstEnergy Solutions

Press Release

[Web Link](#)

FirstEnergy Solutions (FES), a competitive generation subsidiary of FirstEnergy Corp. (NYSE: FE), commented today on the outcome of the base residual auction, also known as a

"capacity auction," conducted by PJM Interconnection, the regional transmission organization.

"The auction results that PJM announced on Wednesday are as unfortunate as they are unsurprising," said FES President Don Moul. He noted that none of FES's three nuclear plants – with combined capacity of 4,048 megawatts – received a commitment in the auction, and that a total of 7,400 megawatts less nuclear capacity cleared in this year's auction than last year's.

"That is 7,400 megawatts of highly-reliable, resilient, clean nuclear power, the majority of which will be replaced with a mix of generation that is less resilient and more carbon-intensive," Mr. Moul said.

The annual auctions are designed to determine the price of electric power capacity three years ahead of when it is required – to ensure the electric power grid can supply sufficient power during periods of peak power demand in the future. The result of the current auction reveals that there will be "constraints," and thus higher prices, in the ATSI (American Transmission Systems Inc.) zone in Ohio, where FES has announced plans to deactivate two major nuclear power plants – the Davis-Besse Nuclear Power Station, in 2020; and the Perry Nuclear Power Plant, in 2021.

The base clearing price in the auction was \$140 per megawatt-day. The clearing price in the ATSI zone was \$171.33.

"This situation is a call to action for policy makers in Ohio and Pennsylvania to take effective action to support these important base-load nuclear power plants that can and should operate for many years into the future," Mr. Moul said. FES has also announced the deactivation of its nuclear power plant in Pennsylvania, the Beaver Valley Power Station, in 2021. "Other states in the PJM region and elsewhere have developed policy solutions to keep their nuclear plants in operation – most recently, New Jersey," Mr. Moul said, adding, "FES is committed to working with policy makers to find creative solutions to make this happen in Ohio and Pennsylvania as well."

PJM has previously stated that the deactivation of the FES nuclear power plants in Ohio and Pennsylvania will have no effect on the reliability of the electric power grid to provide sufficient power when needed. "While that finding may address the mere availability of bulk power sources in PJM, it fails to address other key attributes of these plants, such as fuel resilience, an issue PJM is separately reviewing" Mr. Moul noted.

This auction, importantly, tells a story of how electric power customers will be affected by the loss of these major electric power generation assets. Deactivating more than 2,000 megawatts of reliable and resilient power generation from the Ohio plants because they do not receive fair and adequate compensation for the power they produce will produce the effects this auction is showing in the ATSI zone.

The loss of these nuclear power generating plants will have a range of adverse impacts:

- Higher costs for electric power capacity in ATSI, as demonstrated by this auction;
- Need for upgraded and/or new transmission lines to bring replacement power into the constrained region, ATSI – facilities that will earn a guaranteed rate-of-return paid by ratepayers;
- Replacement power that will almost surely come from fossil fuel plants that, unlike the nuclear plants, are not emission free; and from power plants outside Ohio, substantially increasing Ohio's dependence on out-of-state electric power supplies; and
- Loss of large numbers of high-paying jobs and revenue for the communities in which these plants operate.

Chart: FES Plants in PJM 2021-22 Capacity Auction

On Wednesday, May 23, PJM Interconnection announced the results of its Base Residual Auction, or Capacity Auction, for the 2021-22 delivery year. Below are the auction results for FES plants. All capacity values are in UCAP MW terms, meaning that they are discounted to reflect plant outage rates.

Plant	Capacity (UCAP MW)	Cleared? (Y/N)	Clearing Price (MW-day)	Revenue
West Lorain 2-6, A & B	361	Y	\$171.33	\$22.6 million
W.H. Sammis 5-7	1,233	Y	\$171.33	\$77.1 million
Bruce Mansfield 1-3	1,785	N	--	--
Davis-Besse	875	N	--	--
Perry	1,212	N	--	--
Beaver Valley 1 & 2	1,778	N	--	--
Bayshore CT	6	N	--	--
Sammis Diesel	10	N	--	--
Eastlake 6	13	N	--	--

Forward-Looking Statements: This news release includes forward-looking statements based on information currently available to management. Such statements are subject to certain risks and uncertainties. These statements include declarations regarding management's intents, beliefs and current expectations. These statements typically contain, but are not limited to, the terms "anticipate," "potential," "expect," "forecast," "target," "will," "intend," "believe," "project," "estimate," "plan" and similar words. Forward-looking statements involve estimates, assumptions, known and unknown risks, uncertainties and other factors that may cause actual results, performance or achievements to be materially different from any future results, performance or achievements expressed or implied by such forward-looking statements, which may include the following: the ability to experience growth in the Regulated Distribution and Regulated Transmission segments and the effectiveness of our strategy to transition to a fully regulated business profile; the accomplishment of our regulatory and operational goals in connection with our transmission and distribution investment plans, including, but not limited to, our planned transition to forward-looking formula rates; changes in assumptions regarding economic conditions within our territories, assessment of the reliability of our transmission system, or the availability of capital or other resources supporting identified transmission investment opportunities; the ability to accomplish or realize anticipated benefits from strategic and financial goals, including, but not limited to, the ability to continue to reduce costs and to successfully execute our financial plans designed to improve our credit metrics and strengthen our balance sheet; success of legislative and regulatory solutions for generation assets that recognize their environmental or energy security benefits, including the Notice of Proposed Rulemaking released by the Secretary of Energy and action by the Federal Energy Regulatory Commission (FERC); the risks and uncertainties associated with the lack of viable alternative strategies regarding the Competitive Energy Services (CES) segment, thereby causing FirstEnergy Solutions Corp. (FES), and likely FirstEnergy Nuclear Operating Company (FENOC), to restructure its substantial debt and other financial obligations with its creditors or seek protection under United States bankruptcy laws and the losses, liabilities and claims arising from such bankruptcy proceeding, including any obligations at FirstEnergy Corp.; the risks and uncertainties at the CES segment, including FES, and its subsidiaries, and FENOC, related to wholesale energy and capacity markets and the viability and/or success of strategic business alternatives, such as pending and potential CES generating unit asset sales, the potential conversion of the remaining generation fleet from competitive operations to a regulated or regulated-like construct or the potential need to deactivate additional generating units, which could result in further substantial write-downs and impairments of assets; the substantial uncertainty as to FES' ability to continue as a going concern and substantial risk that it may be necessary for FES, and likely FENOC, to seek protection under United States bankruptcy laws; the risks and uncertainties associated with litigation, arbitration, mediation and like proceedings, including, but not limited to, any such proceedings related to vendor commitments, such as long-term fuel and transportation agreements; the uncertainties associated with the deactivation of older regulated and competitive units, including the impact on vendor commitments, such as long-term fuel and transportation agreements, and as it relates to the reliability of the transmission grid, the timing thereof; the impact of other future changes to the operational

status or availability of our generating units and any capacity performance charges associated with unit unavailability; changing energy, capacity and commodity market prices including, but not limited to, coal, natural gas and oil prices, and their availability and impact on margins; costs being higher than anticipated and the success of our policies to control costs and to mitigate low energy, capacity and market prices; replacement power costs being higher than anticipated or not fully hedged; our ability to improve electric commodity margins and the impact of, among other factors, the increased cost of fuel and fuel transportation on such margins; the uncertainty of the timing and amounts of the capital expenditures that may arise in connection with any litigation, including New Source Review litigation, or potential regulatory initiatives or rulemakings (including that such initiatives or rulemakings could result in our decision to deactivate or idle certain generating units); changes in customers' demand for power, including, but not limited to, changes resulting from the implementation of state and federal energy efficiency and peak demand reduction mandates; economic or weather conditions affecting future sales, margins and operations such as a polar vortex or other significant weather events, and all associated regulatory events or actions; changes in national and regional economic conditions affecting us, our subsidiaries and/or our major industrial and commercial customers, and other counterparties with which we do business, including fuel suppliers; the impact of labor disruptions by our unionized workforce; the risks associated with cyber-attacks and other disruptions to our information technology system that may compromise our generation, transmission and/or distribution services and data security breaches of sensitive data, intellectual property and proprietary or personally identifiable information regarding our business, employees, shareholders, customers, suppliers, business partners and other individuals in our data centers and on our networks; the impact of the regulatory process and resulting outcomes on the matters at the federal level and in the various states in which we do business including, but not limited to, matters related to rates; the impact of the federal regulatory process on FERC-regulated entities and transactions, in particular FERC regulation of wholesale energy and capacity markets, including PJM Interconnection, L.L.C. (PJM) markets and FERC-jurisdictional wholesale transactions; FERC regulation of cost-of-service rates; and FERC's compliance and enforcement activity, including compliance and enforcement activity related to North American Electric Reliability Corporation's mandatory reliability standards; the uncertainties of various cost recovery and cost allocation issues resulting from American Transmission Systems, Incorporated's realignment into PJM; the ability to comply with applicable state and federal reliability standards and energy efficiency and peak demand reduction mandates; other legislative and regulatory changes, including the new federal administration's required review and potential revision of environmental requirements, including, but not limited to, the effects of the United States Environmental Protection Agency's Clean Power Plan, Coal Combustion Residuals regulations, Cross-State Air Pollution Rule and Mercury and Air Toxics Standards programs, including our estimated costs of compliance, Clean Water Act (CWA) waste water effluent limitations for power plants, and CWA 316(b) water intake regulation; adverse regulatory or legal decisions and outcomes with respect to our nuclear operations (including, but not limited to, the revocation or non-renewal of necessary licenses, approvals or operating permits by the Nuclear Regulatory Commission or as a result of the incident at Japan's Fukushima Daiichi

Nuclear Plant); issues arising from the indications of cracking in the shield building at Davis-Besse; changing market conditions that could affect the measurement of certain liabilities and the value of assets held in our Nuclear Decommissioning Trusts, pension trusts and other trust funds, and cause us and/or our subsidiaries to make additional contributions sooner, or in amounts that are larger than currently anticipated; the impact of changes to significant accounting policies; the impact of any changes in tax laws or regulations or adverse tax audit results or rulings; the ability to access the public securities and other capital and credit markets in accordance with our financial plans, the cost of such capital and overall condition of the capital and credit markets affecting us and our subsidiaries; further actions that may be taken by credit rating agencies that could negatively affect us and/or our subsidiaries' access to financing, increase the costs thereof, increase requirements to post additional collateral to support, or accelerate payments under outstanding commodity positions, letters of credit and other financial guarantees, and the impact of these events on the financial condition and liquidity of FirstEnergy Corp. and/or its subsidiaries, specifically FES and its subsidiaries; issues concerning the stability of domestic and foreign financial institutions and counterparties with which we do business; and the risks and other factors discussed from time to time in our United States Securities and Exchange Commission (SEC) filings, and other similar factors.

Dividends declared from time to time on FirstEnergy Corp.'s common stock during any period may in the aggregate vary from prior periods due to circumstances considered by FirstEnergy Corp.'s Board of Directors at the time of the actual declarations. A security rating is not a recommendation to buy or hold securities and is subject to revision or withdrawal at any time by the assigning rating agency. Each rating should be evaluated independently of any other rating. These forward-looking statements are also qualified by, and should be read in conjunction with the other cautionary statements and risks that are included in our filings with the SEC, including but not limited to the most recent Annual Report on Form 10-K and any subsequent Quarterly Reports on Form 10-Q. The foregoing review of factors also should not be construed as exhaustive. New factors emerge from time to time, and it is not possible for management to predict all such factors, nor assess the impact of any such factor on our business or the extent to which any factor, or combination of factors, may cause results to differ materially from those contained in any forward-looking statements. We expressly disclaim any current intention to update, except as required by law, any forward-looking statements contained herein as a result of new information, future events or otherwise.

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FirstEnergy Solutions News 05.24.18

1. Power price increases coming to guarantee electricity will be there when needed: PJM

By John Funk - The Plain Dealer/Cleveland.com, May 24, 2018

2. Capacity prices nearly double in largest U.S. power market

By Jeffrey Tomich - E&E News, May 24, 2018

3. NUKES OUT OF PJM EVEN AS CAPACITY PRICES DOUBLE

By KELSEY TAMBORRINO - PoliticoPro, May 24, 2018

4. U.S. Power Grid Payout Sends Surprise Boost to Coal, Nuclear

By Tim Loh - Bloomberg, May 23, 2018

5. PJM loses a quarter of its nuke capacity in latest power auction

By Gavin Bade - Utility Dive, May 23, 2018

6. Renew Ohio's green energy goals

Toledo Blade, May 23, 2018

Press Release Pick-up:

<http://markets.businessinsider.com/news/stocks/firstenergy-solutions-comments-on-results-of-pjm-capacity-auction-1025220584>

Bloomberg Pick-up:

<http://www.crainscleveland.com/article/20180524/news01/162866/us-power-payout-sends-surprise-boost-coal-nuclear-plants>

https://www.cleveland.com/business/index.ssf/2018/05/pjm_power_price_increases_comi.html

Power price increases coming to guarantee electricity will be there when needed: PJM

By John Funk - The Plain Dealer/Cleveland.com, May 24, 2018

The results of PJM's annual auction are in, committing power plants to produce electricity when customers need it. And it's going to cost you a bit more. Grid manager PJM's annual, three-year-ahead auction shows power companies want more to commit their future capacity, in this case, for the 12 months that begin on June 1, 2021. The charge for that will more than double the previous year's charge. The reason is not a shortage of power plants, insists PJM. Instead, it's that power prices themselves are at historic lows, too low to continue a rush to build additional power plants.

CLEVELAND, Ohio - The price of electricity is now expected to rise significantly in June of 2021 for customers from Chicago to Washington, D.C.

And that includes customers in Ohio, one of 13 states in which grid manager PJM Interconnection operates wholesale power markets.

These increases are not for the energy itself, which is expected to remain at historic lows in spite of the closing of a number of coal and nuclear plants.

PJM expects that new gas turbines, additional wind and solar farms, increases in energy efficiency and "demand response" contracts with customers who commit to cut consumption when told to will replace the output of the old coal and nuclear plants.

But the rush to build these new resources has slowed some, partly because prices are so low, says PJM, and possibly because of the uncertainty over whether old coal and nuclear plants will receive federal and state bailouts, say analysts.

The price increases reflect the cost of the guarantee that there will be sufficient generating capacity available three years from today to meet routine, as well as extraordinary, demand throughout the region.

What's increasing is called a "capacity charge," and it's wrapped into the wholesale price of electricity in PJM's managed competitive markets, whether that power is going to a consumer, a business or an industry.

Think of capacity charges as an insurance charge, explained Stu Bresler, PJM senior vice president for operations and markets, during a news conference late Wednesday to announce the results of this year's capacity auction locking in power plant output three years from today and setting a market price for that guaranteed capacity.

Typically, capacity charges account for about 10 to 15 percent of the cost per kilowatt-hour of electricity.

That may not look like much of a charge, considering that consumer power prices, not including delivery charges, are currently about 6 or 7 cents per kilowatt-hour in northern Ohio. But it adds up, even for industrial customers who typically pay less per kilowatt-hour than residential consumers do.

Capacity charges will increase by about 40 percent in June 2021, compared to the current capacity charges. But compared to the immediately preceding year, beginning June 1, 2020, and closing May 31, 2021, the capacity charge will have more than doubled.

PJM directs the funds raised by the capacity charges in monthly payments to the power companies whose power plants "cleared" the auction.

Bresler said the increases in capacity charges would not offset the low prices of the power itself.

PJM does not identify the power plants that have survived the annual auction, though power companies sometimes do.

But Bresler did confirm that FirstEnergy Solutions, which has said it would close its four nuclear reactors within two years and is going through bankruptcy proceedings, participated in the auction only because the company did not meet last September's deadline to say it would not. FES only announced its closing decision last month.

The news of the company's participation in the auction comes as the Trump administration continues to consider whether it will invoke national security concerns to assist FES and other owners of old nuclear and coal-fired plants.

An FES spokesman had no immediate comment on Wednesday evening.

<https://www.eenews.net/stories/1060082593>

Capacity prices nearly double in largest U.S. power market

By Jeffrey Tomich - E&E News, May 24, 2018

The cost of ensuring adequate available generation in the nation's largest power market surged as power plant operators raised offer prices to offset lower energy revenues and fewer new natural gas plants coming online.

PJM Interconnection yesterday said clearing prices for capacity across much of its 13-state footprint nearly doubled to \$140 per megawatt-day (MWd) from \$76.53 last year. The increase means consumers in the Mid-Atlantic and Midwest will pay about \$2.3 billion a year in additional costs to keep air conditioners running in 2021-22.

Pockets within PJM will see even higher prices because of transmission constraints. In areas served by Baltimore Gas & Electric Co. and by Commonwealth Edison in the Chicago area, and for Public Service Electric and Gas Co.'s New Jersey service areas, prices range from \$195 to \$205 per MWd.

Grid operator PJM procures capacity each spring on behalf of utilities three years in advance of when it's needed. The lead time is meant to provide time to build or upgrade power plants if needed.

Price movements are seen as an indicator of oversupply or the need for new investment. Rising prices generally indicate a tightening market, while lower prices suggest that a larger supply cushion exists.

The auction results are watched closely, but especially this year amid proposals to reform PJM's capacity market and as the Department of Energy continues to weigh a request by bankrupt FirstEnergy Solutions Corp. to rescue money-losing coal and nuclear plants.

This year's jump in clearing prices came as a surprise for many analysts who were expecting only a slight increase in prices.

Stu Bresler, PJM's senior vice president of operations and markets, said a key reason for the increase was the continued decline of energy prices, which affected the auction in a couple of ways.

Generators, for instance, raised offer prices in response to lower realized and expected energy revenues, he said.

While the higher capacity costs offset the benefit of lower energy prices, the trade-off can be viewed "as a bit of an insurance policy for end-use customers," who can be sure there will be ample generation available when it's needed, Bresler said.

Auction low on gas, hard on nuclear

This year's auction attracted less new capacity than in years past as the wave of new combined-cycle natural gas plants entering the PJM market slowed down. Overall, about 1,400 megawatts of new generation cleared the auction, compared with more than 5,000 MW of new gas generation two years ago.

"New generators held back entering PJM this year, which drove up capacity auction," said Toby Shea, a vice president at Moody's Investors Service, who said the higher prices benefited all independent power producers.

The higher prices, however, didn't help many nuclear operators across PJM, where 7,400 MW of nuclear generation — more than one-fourth of the nuclear capacity that cleared a year ago — failed to make the cut.

PJM officials wouldn't name which specific units or plants didn't clear the auction, but it's anticipated the list includes the three FirstEnergy Solutions nuclear plants in Ohio and Pennsylvania, representing more than 4,000 MW of capacity, that are slated to close in 2020 and 2021 (Energywire, April 2).

Bresler said FirstEnergy Solutions was required to offer its nuclear plants in the auction unless the company either notified PJM ahead of a September deadline to be exempt or received a waiver from the Federal Energy Regulatory Commission.

The void from the sharp decrease in nuclear capacity was partially filled with an increase in existing natural gas-fired generation as well as a 500-MW increase in coal generation, prompting immediate concerns about the climate implications of the increased reliance on fossil fuels.

Significantly higher levels of wind and solar capacity, energy efficiency and demand response — when end-users commit to voluntarily reduce their electricity usage during periods of peak demand — also cleared the auction.

PJM said 11,126 MW of demand response cleared, 3,832 MW of energy efficiency, 1,417 MW of wind and 527 MW of solar.

While some of the renewable and demand-side resources were aggregated seasonal resources, much of the demand response was offered on a year-round basis, meaning it's committed to be available when called.

Seasonal changes

Environmental advocates have urged the grid operator to change the auction rules to allow resources to bid into the market on a seasonal basis to increase participation by clean energy resources.

Bresler said yesterday that he was "a little surprised" by the amount of year-round demand response that cleared and said the market response might deem the issue moot.

"I have to sit back and question whether we have an issue there," he said.

Jennifer Chen, an attorney for NRDC's Sustainable FERC Project, said the increases in demand response and renewable resources shouldn't be taken as a signal that PJM's capacity market design doesn't need changes.

"Seasonal resources should be increasing as technology and innovation drive down prices," she said.

Chen said a two-season capacity market, as proposed during a recent FERC technical conference on the topic, would allow more wind, solar and demand response to participate.

"It would enable even more of these resources to participate at an even lower price," she said.

Overall, the 163,627 MW of capacity that cleared this year's auction represents a reserve margin of 21.5 percent, which exceeds PJM's required reserve margin of 15.8 percent.

The 2021-22 auction conducted this month is the second year in which all capacity is subject to phased-in performance standards approved by federal regulators in 2015.

The so-called capacity performance standards mostly stem from the 2014 polar vortex, when some generators failed or could not get fuel. The rules establish penalties for units that fail to run when needed. Owners of the most reliable units can earn bonuses.

<https://subscriber.politicopro.com/newsletters/morning-energy/2018/05/democrats-try-to-make-gop-pay-at-the-pump-227726>

NUKES OUT OF PJM EVEN AS CAPACITY PRICES DOUBLE

By KELSEY TAMBORRINO — PoliticoPro, May 24, 2018

PJM Interconnection, which manages the nation's largest power market, shed almost a third of its nuclear capacity in capacity auction results released yesterday for the 2021-22 delivery year. The auction, which provides extra payments to generators in return for staying available to run at any time, saw prices nearly double to \$140 per megawatt-day, and it will generate \$9.3 billion in revenue for companies with plants that cleared. Stu Bressler, PJM's senior vice president for Operations and Markets said prices rose because companies were trying to make up revenue lost to lower energy prices. "The offers from supply resources into the capacity auction take into account the actual as well as the anticipated energy revenues when they construct those offers in order to meet their required revenues," he told reporters Wednesday.

More megawatts cleared the auction for every other fuel type. Solar capacity quadrupled and wind added 529 MW, making up for ground lost in last year's auction. Coal added 500 MW compared to the previous auction, something that may catch the attention of the Department of Energy, which is trying to save coal plants. "The results of this auction should reassure everyone that the electricity markets are working and maintaining a reliable system," said Susan Buehler, a spokeswoman for the grid operator.

"PJM has always said we don't believe there is any need for intervention."

Plenty of power: PJM continues to have far more power than it needs to meet reserve requirements. In 2021-22, it will have a 21.5 percent reserve, well above the 15.8 percent target. That reserve is actually down 2 points from the auction to supply power for 2020-21.

<https://www.bloomberg.com/news/articles/2018-05-23/u-s-power-payout-sends-surprise-boost-to-coal-nuclear-plants>

U.S. Power Grid Payout Sends Surprise Boost to Coal, Nuclear

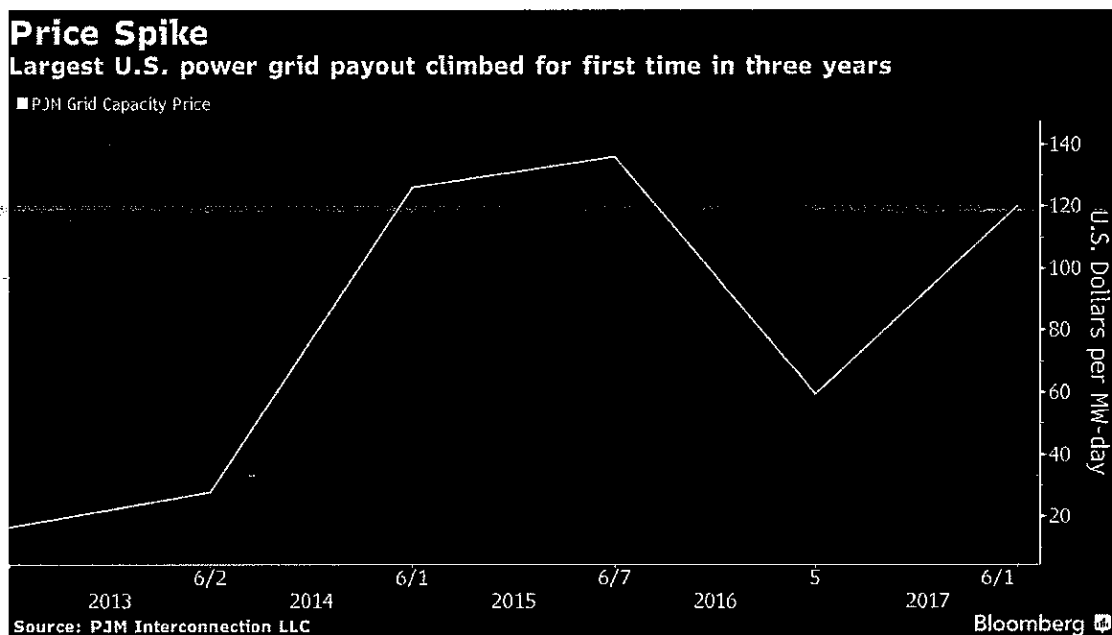
By Tim Loh – Bloomberg, May 23, 2018

- *PJM capacity price soars 83% as auction beats estimates*
- *Grid-wide figure for 2021-2022 highest in three years*

Embattled coal and nuclear power-plant operators stand to get a lot more money to provide capacity to the biggest U.S. electricity grid -- if they can hold on for another three years.

Generators are going to make \$140 a megawatt-day for the year starting in June 2021, 83 percent more than the prior year, according to the results Wednesday of an auction by PJM Interconnection LLC. It was the first increase in three years and 19 percent more than the highest analyst estimate compiled by Bloomberg. They ranged from \$75 to \$118.

"Everybody's going to be happy tonight," said Kit Konolige, a utility analyst for Bloomberg Intelligence. "It's got to be a few billion dollars extra for your friendly generators out there."



Years of declining power prices have made it tough for plant operators, and at least 7 gigawatts of coal and nuclear capacity in the PJM region are at risk of closing by 2021. The higher rates will help generators and show that the market can still support these plants even as natural gas and renewables continue to gain market share.

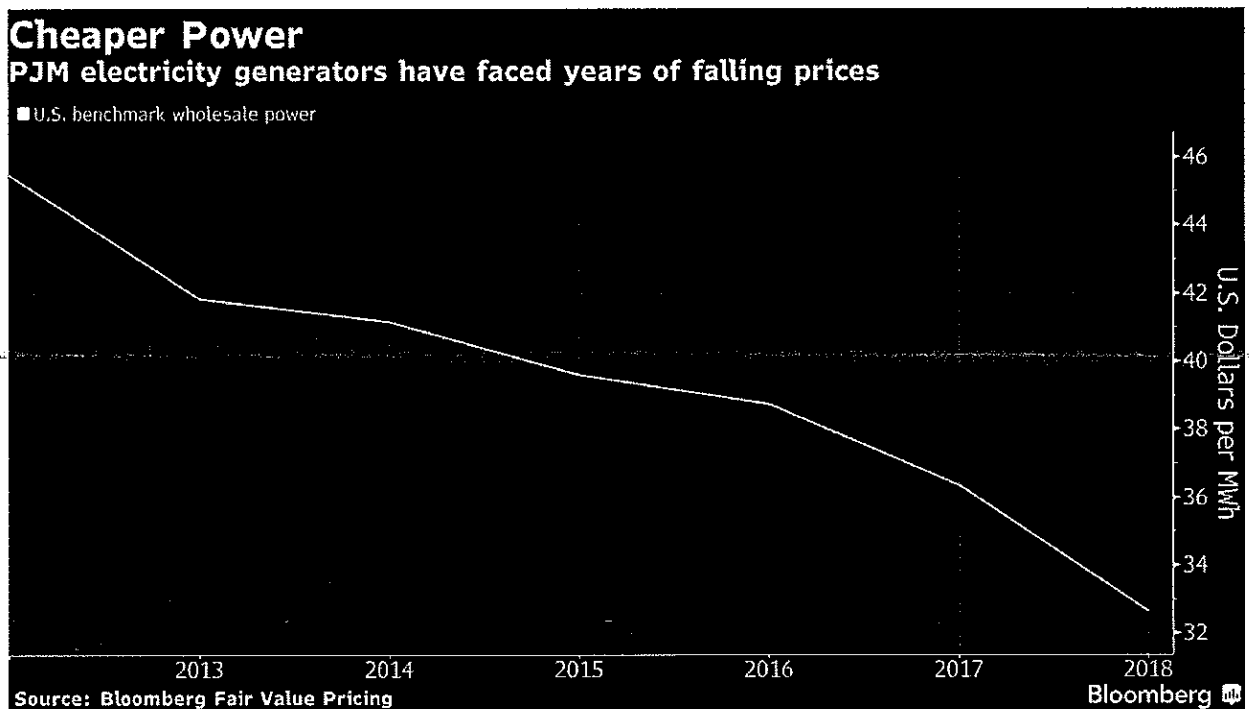
The U.S. Energy Department is weighing a March request from FirstEnergy Corp.'s competitive power unit -- now in bankruptcy -- for government aid to help keep money-

losing nuclear and coal-fired power plants online. Nuclear and coal proponents argue that their loss could imperil the reliability of the nation's electric grid.

New Entries

After years of rapid growth in gas plants, the pace of new entries was the slowest in seven years, according to a statement from PJM.

"You have had low energy prices, so it wouldn't surprise me if people were saying, 'Hey, if we're gonna bid into this market, we're going to require a higher level of revenue from capacity,'" said Paul Patterson, an analyst for Glenrock Associates LLC. "One year's results does not a trend make. The capacity auction has shown some considerable volatility over the years."



Nuclear capacity fell 7.4 gigawatts in the latest auction, and some "fairly large" coal plants failed to clear, Stu Bresler, PJM's senior vice president for operations and markets, said on a conference call after the results were released. Half a gigawatt more coal capacity cleared, a fact which may reflect efforts to increase the plants' efficiency, he said.

"New generators held back entering PJM this year, which drove up capacity auction results for 2021-22," Toby Shea, a vice president at Moody's Investors Service, said in an emailed statement. "Higher-than-expected prices are credit positive for all independent power producers operating in the region."

Share Prices

Shares of generators with plants in the grid advanced, with Vistra Energy Corp., which acquired Dynegy Inc. assets in April, increasing as much as 4.4 percent as of 10:38 a.m. in New York trading. NRG Energy Inc. gained as much as 4.2 percent. The two companies are more sensitive to changes in PJM capacity prices than their peers, according to Goldman Sachs Group Inc. analysts in a May 14 note.

NRG reported \$328 million in revenue from this auction, up 22 percent from the prior year and the highest level in three years. It cleared 4.74 gigawatts at \$189.81 per megawatt-day, compared with 3.99 gigawatts at \$184.04 in the prior auction. Vistra, meanwhile, reported capacity revenue of \$559 million, up 23 percent from a similar Dynegy report the prior year. It cleared 9.78 gigawatts at an average price of \$156.47, compared with 10.2 gigawatts at \$122.19 in Dynegy's year-ago report.

Grid Zones

Grid zones that encompass the Chicago area and portions of southeastern Pennsylvania and New Jersey, which both soared last year, had more lackluster results than PJM's grid-wide price. The Chicago-area zone, known as ComEd, increased 3.9 percent, while the Pennsylvania and New Jersey zone, known as Emaac, decreased 12 percent.

Shares of two companies with plant concentrations in those areas were mixed. Exelon Corp. was down as much as 0.9 percent while Public Service Enterprise Group Inc. gained as much as 1.1 percent.

PJM, based in Valley Forge, Pennsylvania, has been at the center of the shale gas revolution that's displaced coal as the nation's number one fuel source. It spans 13 states and serves more than 65 million people from Chicago to Washington. The capacity auction held each spring is designed to secure future generating capacity. Costs are passed along to households and businesses on their utility bills.

<https://www.utilitydive.com/news/pjm-loses-a-quarter-of-its-nuke-capacity-in-latest-power-auction/524247/>

PJM loses a quarter of its nuke capacity in latest power auction

By Gavin Bade – Utility Dive, May 23, 2018

Dive Brief:

Cleared nuclear capacity fell by more than a quarter in PJM's latest Base Residual Auction, the grid operator announced Wednesday, while demand response, renewables, natural gas and coal all increased their cleared capacity compared to last year.

Capacity prices for much of the market came in higher than last year, at \$140/MW-day compared to \$76/MW-day. PJM said the increase is due to lower prices in its energy market and higher entry costs for new generators, while analysts said some plants likely sat out the auction this year.

The auction for delivery in 2021/2022 cleared 163.3 GW of capacity, a 2% decrease from last year, resulting in a 22% reserve margin. Of that, nearly 14 GW was demand response or energy efficiency, with both increasing significantly over the last auction.

Dive Insight:

The 2021/2022 Base Residual Auction cleared about 20,000 MW of nuclear power, PJM Vice President Stu Bressler told reporters Wednesday, while last year's auction cleared about 27,400 MW.

Analysts had expected cleared nuclear capacity to decrease, Bressler noted, saying the 7,400 MW drop was "less than some of the expectations I saw as far as nuclear risk."

Which plants failed to clear the auction remains in question. Nuclear operator FirstEnergy Solutions, now in bankruptcy, has three nuclear plants slated to retire before the auction delivery date.

PJM does not comment on the behavior of individual plants, but those generators may have sat out the capacity auction, not wanting them to win supply obligations that would keep them open beyond their expected retirement dates.

FirstEnergy told Reuters this week its plants had bid into the auction, but it did not respond to requests for comment.

Exelon, the nation's largest nuclear operator, said Thursday it bid its nuclear plants into the auction, but Three Mile Island (TMI), Dresden and all but a small portion of its Byron plant failed to clear. Exelon did not bid the Oyster Creek plant in New Jersey, which is slated to retire this year.

It is the fourth year running that TMI did not clear, spokesperson Paul Adams noted.


New Jersey nuclear operator PSEG told Utility Dive it bid its plants into the auction, even though state legislation to subsidize its plants was not signed until Wednesday, after the auction had concluded.

"An added benefit of our participation and clearing in the RPM auction is that the clearing price and capacity costs to New Jersey customers was in all likelihood lower than it would have been if we had not cleared as many MWs," spokesperson Mike Jennings said in an email.

The decrease in nuclear capacity came amid higher prices across most of PJM, though regions with most of the market's nuclear capacity saw smaller price increases, noted Robbie Orvis, policy director at think tank Energy Innovation.

"In EMAAC, which has roughly 25% of PJM's nuclear capacity, prices actually dropped by \$22.14/MW-day," Orvis noted. "In COMED, which has about 32% of PJM's nuclear capacity, prices only increased by \$7.43/MW-day. The remaining regions with nuclear capacity saw healthy price increases ranging from \$53.96/MW-day to \$94.80/MW-day."

2021/22 BRA Resource Clearing Prices (\$/MW-day)						
Capacity Type	Rest of RTO	EMAAC	PSEG	BGE	ATSI	COMED
Capacity Performance	\$140.00	\$165.73	\$204.29	\$200.30	\$171.33	\$195.55

 Bidding behavior resulted in separate prices for five of PJM's 20 transmission owner regions. *Credit: PJM*

"It's unclear how some units might have changed their bidding behavior in response to state nuclear subsidy programs," Orvis added, "but given the economic hardships for many nuclear plants in PJM, these results don't point to any kind of dramatic change in market conditions."

The decrease in nuclear was met with increases in a variety of other power resources:

Wind resources increased by 529 MW, PJM reported, from 887 MW last year to 1,416 MW this year. Solar jumped from 125 MW last year to 570 MW this year, an increase of more than four and a half times.

Natural gas also fared well, increasing by about a gigawatt in cleared capacity, while coal increased by 500 MW.

No new coal plants are being built in PJM, but Bressler said higher capacity prices and greater efficiencies at coal plants allowed more capacity to clear.

"The death of coal has been greatly exaggerated," Bressler said. "It hung in there this year."

Auction results for demand response were particularly significant, the PJM vice president said. DR providers complain that PJM's capacity performance options, which only allow year-round resources, unfairly disadvantage their resources. But more than 11 GW of DR cleared the auction this year, up from 7,820 MW the year before.

"I was surprised by the magnitude of the increase in annual demand response that was willing to commit to the capacity performance requirements in this auction," Bressler said, "and I question whether we really have a seasonal issue."

The PJM auction results are likely to increase calls from nuclear energy advocates to support the resource, which they say is not valued for its zero-carbon generation and contributions to grid resilience in PJM's market today.

"Reforms are needed but they need not be limited to the capacity market," said a spokesperson for the Nuclear Energy Institute, which is still reviewing the auction results. "Markets need to better value nuclear attributes, and that can be done through improvements in how energy is valued or through state policies that explicitly recognize these benefits."

<http://www.toledoblade.com/Editorials/2018/05/23/Renew-Ohio-s-green-energy-goals.html>

Renew Ohio's green energy goals
Toledo Blade, May 23, 2018

It would be nice if the Ohio General Assembly would set a goal for renewable energy and then stick with it.

In that sense, state Sen. Bill Beagle's bill to restate the so-called renewable energy portfolio, rather than scrap it, is promising.

Mr. Beagle's bill still leaves Ohio far behind the goals that were set so confidently by the Ohio General Assembly under Gov. Ted Strickland in 2008.

The goal at the time was that Ohio energy providers — FirstEnergy, American Electric Power, and other utilities — would use renewable sources for 12.5 percent of their energy by 2025.

That was before cheap natural gas produced by fracking made the coal and nuclear plants operated by Ohio energy companies economically inefficient. Ohio still uses a lot of energy from both of those sources, but the high cost of running Davis-Besse nuclear power plant in Ottawa County has forced the FirstEnergy's subsidiary, FirstEnergy Solutions, into bankruptcy.

The 2025 goal still exists, but it has been moved back to 2027. House Republicans actually want to scrap the goal entirely, and institute voluntary goals for renewable energy from solar and wind.

At least the proposal from Senator Beagle, a Tipp City Republican, maintains a goal in state law. His proposal is to reach 8.5 percent of energy use by 2022.

Clean energy is an industry by itself and Ohio has companies that are trying to gain a foothold. Ohio needs to send a message to the country that it is committed to supplementing fossil fuel power with renewable forms of energy.

The fact that energy providers are not shrieking in protest means it must be an achievable goal.

And to get there, the legislature would have to relax the deep setback requirements for wind turbines that were passed in a state law in 2014, which stopped the wind farm business dead.

The Beagle amendment was adopted as a compromise by the Senate Energy and Natural Resources Committee. That's a good sign.

From: Ohio Chamber
Sent: Tuesday, May 29, 2018 8:36 AM
To: Rep76
Subject: Ohio Chamber Legislative Update May 29



Legislative Update

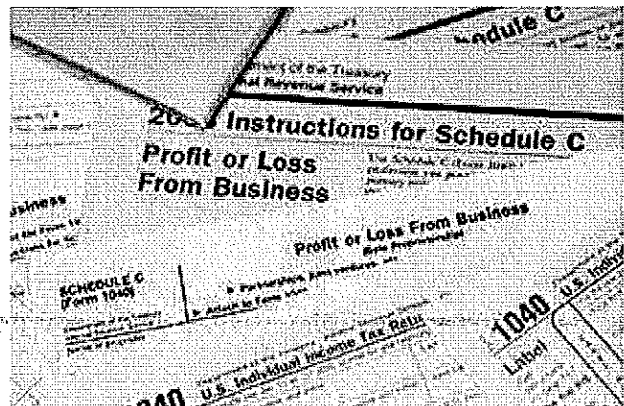
May 29, 2018

Read about the issues that impact your business.

We're All For

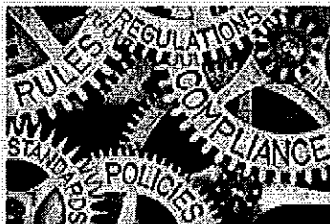
The Right for Direct Appeal

Once in a while, government will admit to a step too far. After nearly a year of hard work by the Ohio Chamber and others and many discussions, the Senate passed HB 292 on May 23rd. The bill included an amendment that restores a limited right of direct appeal as championed by the Ohio Chamber of Commerce. **Continue reading.** **Click here** to read about the bills we are following.



We're All for Providing Information

Be sure to read our latest blog posts on allforohio.com for additional information that is of interest to Ohio Chamber members. Here are our blog posts from the past week:



Ohio Chamber Supports Sweeping Regulatory Reform Bill



Financial Literacy Bill Passes House Committee



BWC Board Approves \$1.5 Billion Rebate to Employers

On May 23, the Ohio Chamber testified in support of Senate Bill 293, a bill that would require a thirty percent reduction in regulatory restrictions for all agencies in the state of Ohio by the end of 2022. [Read about the Ohio Chamber's testimony.](#)

On May 22, House Education and Career Readiness Committee voted 11-8 to favorably report House Bill 108 out of committee. [Learn more about this bill.](#)

For the fourth time in recent years, the Ohio Bureau of Workers' Compensation (BWC) is providing more than \$1.5 billion back to Ohio's private and public employers in the form of a rebate. [Read more about the rebate.](#)

We're All for Connections



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